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THE TIMES

INTERNATIONAL EDITION

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40p

Clowes convicted of 'milking millions' from financial empire

Tycoon found guilty of fraud

By BILL FROST

PETER Clowes, founder of the collapsed Barlow Clowes financial empire, was yesterday led from court by prison officers having been convicted of eight counts of fraud and ten of theft by a Central Criminal Court jury. He was remanded in custody and will be sentenced today for carrying out a "massive fraud which saw investors, many of them pensioners, milked of £113 million".

Clowes, aged 49, from Wilmslow, Cheshire, was acquitted on one charge of conspiracy. Peter Naylor, his second-in-command, was found guilty on one count of theft involving £19,000 of investors' money. Naylor, aged 36, of Send, Surrey, was cleared of one charge of conspiracy and three of theft. He will also be sentenced today.

Guy von Cramer, aged 30, former head of the Barlow Clowes parent company, was cleared on one count of conspiracy and six of theft. He had pleaded not guilty to the charges. After the verdict, Mr von Cramer said: "He [Clowes] gave the impression of extreme wealth and a man of integrity. Clearly that has proved wrong now."

Christopher Newman, aged 37, group finance director, was cleared on seven charges of theft involving almost £11 million. Mr Newman like the other defendants, had pleaded not guilty to all charges arising out of the collapse of Barlow Clowes in May 1988.

The verdicts came as the jury of eight men and four women were into their fourth day of considering a total of 38 verdicts on 20 fraud and theft charges arising out of the collapse. During the 112-day hearing, they had been told by the Crown how Clowes conducted a "flagrant fraud on a massive scale and lived the life of Riley". Clowes had systematically siphoned off

Continued on page 16, col 1

Full details, page 4



Peter Clowes being escorted by prison officials after he was found guilty of fraud following a 112-day trial at the Central Criminal Court

Russians greet an airlift of hope

From BRUCE CLARK
IN MOSCOW

EAST and West confronted each other with curious wide-eyed stares at Moscow's cargo airport yesterday as an armful of Western aid to the former Soviet Union got underway with a mixture of mudflap and brisk efficiency.

Beefy American airmen and well-scrubbed male and female officers of the Salvation Army in dark blue uniforms strode confidently out of the belly of a huge transport plane which had the look of a beached whale as it sat on a runway half-covered by grimy snow. Facing them was a row of four small, rusty old trucks and a gaggle of shrewdly dressed boy-soldiers from Central Asia, their spindly frames enveloped in the rough, ill-fitting great coats of the former Soviet army.

They stared in admiration as a gleaming forklift rolled out of the plane and began transferring the 80 tonnes of food into the trucks which will trundle them off under the Sally Army's watchful eye, to one of the notorious depots.

In a decision that confirms the government's desire to avoid a clash with the public sector in the run-up to the general election, teachers are to receive increases averaging 7.5 per cent, nurses 5.8 per cent, doctors 5.5 per cent and dentists 8.5 per cent.

It is the first time the awards of the pay review bodies have been met in full, without staging or other interference, since 1987 — the last general election year — and the settlements will give

Public servants' pay rises beat inflation

By PHILIP WEBSTER, CHIEF POLITICAL CORRESPONDENT

PAY rises well above the rate of inflation are to be given to one-and-a-quarter million public servants

from April 1, after the government announced yesterday that it was accepting, in full, independent recommendations for awards costing £1.8

billion.

Pay rises in manufacturing industry averaged 4.1 per cent during the final quarter of last year, compared with 9 per cent in the same period of 1990, the Confederation of British Industry reported last night. The figure is the lowest recorded by the CBI, whose report provides the firmest evidence to date that the government is succeeding in its battle to drive down settlements in response to falls in inflation — now at 4.5 per cent. The sharp drop compares favourably with trends in Germany, where steelworkers last week won a 6.4 per cent rise.

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Yesterday's announcement on public sector pay — which includes increases of between 5.9 per cent and 7.9 per cent

for the armed forces — intensified the expectation at Westminster that the general election will be on April 9. Senior ministers believe that the momentum for a poll on that day is so strong that John Major would find it difficult to pull back.

The government admitted the awards would cost some £250 million more than it had originally budgeted for when it made its allocations to health and local authorities for the pay of health service staff and teachers, and it will provide £210 million from the Treasury's reserve funds. The health authorities will have to pull back.

Some 430,000 teachers will benefit from what Kenneth Clarke, the education secretary, called a substantial increase. A key feature of the award will be about 26,000

incentive allowances of up to £4,000 for primary school teachers with special responsibilities or for good performance, a principle the government wants to extend across the public service.

Mr Clarke said the review body recommendation was a tribute to the dedication and achievement of teachers. Mr Major has made plain since becoming prime minister his determination to improve the status of the teaching profession.

Last year he said: "We want the good teacher to live in a good house and drive a good car. We need to give teachers back the status in society they once had and that will, over a period of time, mean more money for the right teachers delivering the right service."

Government sources emphasised the awards were going to groups that had not always done well in relation to the private sector, and still represented the lowest average increases for the armed forces and doctors and dentists since 1979, and for nurses since 1983, when their review body was set up.

GPs' pay currently averages about £37,975; the rise puts salaries up to approximately £40,000 a year. Staff nurses now earning approximately £10,230 will receive £10,820. A high street dentist, now paid £33,010, will get £35,815 in future.

Pay rise details and reaction, page 5
Leading article, page 13

Euro shoppers win tobacco and drink bonus

From TOM WALKER
IN BRUSSELS

HOLIDAYMAKERS and business travellers returning from Europe will be able to bring back greater quantities of drink and cigarettes next year if they buy them in supermarkets. European Community finance ministers agreed yesterday.

The deal, which excludes goods bought in duty-free shops, is expected to increase pressure on the British government to reduce excise duties. It will be a boost to the growing pattern of cross-Channel shopping for day trippers.

From January 1 next year travellers will be free to carry the following personal amounts of duty-paid goods: ten cases of wine (12 x 75cl bottles per case); one case of spirits (12 x 75cl bottles); 800 cigarettes and 20 crates of beer (24 x 25cl bottles in

each). A British official said that it was too early to say what the effects of the new rules will be, but the commission hopes they will force member states to harmonise their levels of excise duty through natural market forces.

Wine is far cheaper on the Continent, and shoppers living near the Channel are expected to take full advantage of the new rules. The excise duty now on a bottle of wine in Britain is about £1; in France it is about 20p.

Originally the commission had intended travellers' allowances to be scrapped altogether, but Brussels realised a sudden change in price structures would spell catastrophe for liquor vendors and off-licences in high excise duty countries.

The picture may be further clouded, however, if the commission proposes a new directive that proposes

excise duty on cigarettes should comprise at least 57 per cent of their overall retail price. The tobacco lobby is resisting the proposal, claiming it would drive prices higher in northern Europe, but leave them untouched in southern Europe and encourage widespread bootlegging.

The Confederation of European Community Cigarette Manufacturers, a Brussels-based lobby which represents the industry giants in Brussels, has estimated that bootleggers with a three-tonne truck filled with cigarettes in Portugal could make £125,000 on the black market in Denmark. The European Parliament in Strasbourg will debate the Commission's proposals for excise duty on cigarette and tobacco products.

The commission wants to abolish the concept of duty-free shopping by 1999. At present travellers allowances are: 300 cigarettes; 50 litres of beer; 1.5 litres of spirits and five litres of wine.

Meanwhile John Maples, economic secretary to the Treasury, said there was no danger of Britain's cider makers being forced out of business by swinging new excise duties that would have doubled prices.

It had been thought that a blunder had left cider classified by Brussels Eurocrats as wine, and therefore liable to twice as much excise duty as it bears at present.

The question surprised Mr Maples who had been boning up on multilateral surveillance plans for economic and monetary union at the expense of the Save Our Strongbow campaign. He had nothing to say on the subject until a British official quickly jotted a statement down on a pad. When it is discussed it will be vigorously defended on behalf of the UK cider industry, he said.

Britons held in Cold War labour camps

FROM BRUCE CLARK
IN MOSCOW

THE first scraps of evidence are coming to light about one of the most shadowy chapters of the Cold War: the alleged detention of tens of thousands of Americans, and possibly some Britons, in the gulag labour camps of Siberia.

General Dmitri Volkogonov, the liberal military historian, told the business weekly *Commentary* that he had unearthed four KGB files referring to American prisoners detained in Russia after the second world war. He had also received "sensational" but as yet unverified reports that Americans had been held captive at Kolyma in Siberia and at Tambov in Russia.

Recently declassified US documents indicate that the Red Army took into its own hands up to 20,000 Americans whom it "liberated" from Nazi prison camps as it swept through eastern Germany, and of whom nothing more was officially heard after the war. Yuri Pankov, a *Commentary* reporter, said he had seen a letter from the Tambov security police chief dated May 1945, advising the head of a prison camp of the arrival of 2,500 prisoners from France Luxembourg and America and Britain.

The KGB files, described by the general as "vague and without names", were part of a dossier on "anti-American actions between 1945 and 1979" compiled at the request of Mikhail Gorbachev and left at the Kremlin when he resigned.

General Volkogonov was entrusted by Boris Yeltsin, the Russian leader, to investigate the fate of missing Americans after a request from President Bush. An American lobby group called the National Alliance of Families has offered up to \$2.4 million (£1.3 million) for information on the fate of missing Americans in the former Soviet Union.

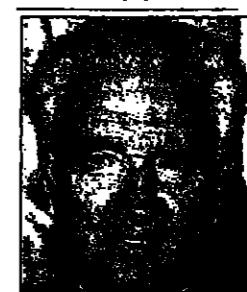
Mr Pankov says he has firm evidence that some of the 2,354 Americans listed as "missing in action" after Vietnam were sent to the Soviet Union, including five who died of fever as they were being taken by ship to Vladivostok. He knows of at least one case where an American pilot shot down over Vietnam agreed to work for Soviet intelligence.

TODAY IN THE TIMES SOCIALISM WITH FIZZ



Coming to the aid of the Labour party in the best possible taste
Life & Times
Page 1

RALLYING FOR JUSTICE

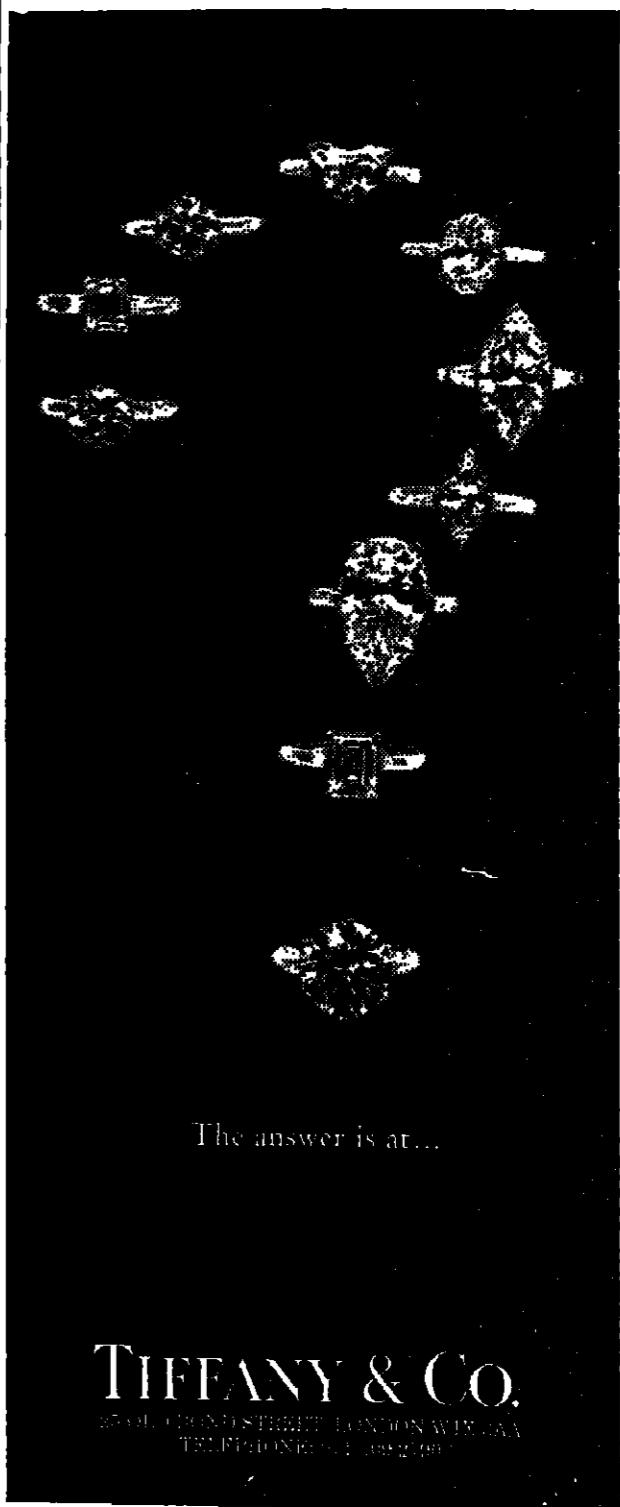


2,000 solicitors prepare to argue their case to Lord Mackay — all at once
Life & Times
Page 7

A QUEST FOR PERFECTION



Debunking the dolly bird myth with a search for Europe's ideal secretary
Life & Times
Page 4



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07

Eurotunnel overwhelmed by sheer scale of venture



Problems: the Folkestone entrance to the tunnel

DIGGING an £8 billion hole between Britain and France was never going to be easy. After years of stumbling from one difficulty to another, Eurotunnel, which will operate services through the Channel tunnel, admits that it has been overwhelmed by the size of the task.

Postponing the tunnel's much vaunted opening date on June 15 next year is more than just the latest in a series of setbacks which has kept the company in a state of turmoil since it won the concession to build the tunnel in 1986.

During the past six years, the cost of the project has increased from £4.7 billion to £8.9 billion. Spiralling costs have embittered relations between Eurotunnel and its contractors. Delays in delivering rolling stock and the effective postponement of the Channel tunnel rail link until after the turn of

the century have helped to heighten the Channel tunnel drama. The opening date had achieved the status of an article of faith, and had been used to ease the company through its previous difficulties.

Completion of the project on time seemed achievable when — after years of scepticism — the teams of construction workers actually linked up beneath the seabed 14 months ago.

Now the timetable has been defeated by the sheer logistic complexity of delivering mile after mile of high-tech fixed equipment down this tube-like passage through the chalk, massive though it is. Fitting out the tunnel involves laying almost 100 miles of continuous weld-

ed track, weighing 12,000 tonnes, between the two terminal sites at Cheriton and Coquelles. Fixing 300 miles of steel piping to the tunnel walls will take 100,000 brackets.

The job has been likened to building a railway on a 38-mile viaduct, where the workers have to haul everything with them at the start of each shift. Any delay creates a knock-on effect on the teams of workers waiting to start their particular task, and the cumulative delays have now become too much for the deadline.

Privately, Eurotunnel officials admit that they have lost control over the complexities involved in the construction process.

The consequences of the slippage are worst in terms of image and

finance. After the triumph of the breakthrough, the whole project once again takes on an air of uncertainty, the last thing likely to keep investment rolling in during a recession. Even worse, the direct financial consequences are severe: the tunnel will lose the cross-Channel summer revenues for 1993, projected at about £70 million per month.

Does this mean that Eurotunnel will once more go cap in hand to the banks? Some analysts think so, but the company is adamant that it has sufficient funds available for opening. Still, the bankers remain nervous.

Eurotunnel has £8.91 billion available to complete the project and a projected expenditure of £8.05 billion. But it has yet to resolve its financial differences with Transmanche Link, the Anglo-French construction company re-

sponsible for building the tunnel. The extra £800 million (£1.2 billion at 1992 prices) the contractors are demanding to finish the job would wipe out Eurotunnel's financial safety margin.

Besides, the announcement comes three months after Eurotunnel disclosed that safety changes to the design of Channel tunnel trains would delay the introduction of the full fleet of passenger and freight trains until the summer of 1994, costing the company £150 million in lost revenue.

Whatever happens, the project is highly unlikely to collapse. Too much national pride is involved on both sides of the Channel — as well as the vast sums of cash. One observer said yesterday: "The tunnel is simply too big to go bust."

Opening delayed, page 1

Man dies in blast at docks refinery

One man was killed and at least three people were injured last night after a huge explosion at the Grangemouth docks on the Firth of Forth (Richard Duce writes).

Dense black smoke hung over the docks, the site of BP's



biggest refinery, after the explosion, which was believed to be centred on an oil storage tank.

The explosion released a cloud of noxious gases and police warned people living on the northern shore of the estuary opposite the docks to stay indoors and keep their windows shut.

Three die in house fire

A mother and her two daughters died in a fire yesterday. Maria Houghton was found with Becky, aged one, and Selina, aged four, in the bedrooms at their terraced house at Laundon, Basildon, Essex.

The children's father, Tommy Houghton, was beaten back by flames as he tried to reach them. He was taken to hospital with severe burns and head injuries after leaping from a window. Mrs Houghton, who was overcome by smoke while trying to reach Becky, was found slumped beside her cot.

Council opens mortgage line

The first mortgage debt advice line run by a local authority opened yesterday in Manchester. Peter Bailey, an adviser from the city council's housing aid service, answered more than 30 calls when the line opened. "It has been extremely busy," he said.

The Mortgage Debt Line (061 234 4708) was started after 565 homes in the city were repossessed last year, twice the number of the previous year, and because the Manchester housing department sees no sign that the number is likely to fall.

Twenty jobs go

Sotheby's the auctioneers is to make 20 of its staff redundant. The move, which comes after a similar one at Christie's a year ago, indicates how hard the recession is biting into what, until recently, was a boom industry. Some dealers say the market is at its most becalmed for 25 years, with people neither buying nor selling in some areas.

The redundancies affect 13 people in London, four in Sussex and two in the regions. A spokeswoman said that the list included a number of experts but no heads of departments.

Drug test delay

Cancer charities are frustrated that the Medical Research Council has further delayed a trial of the drug tamoxifen to see if it can be used to prevent breast cancer. Instead of approving a trial, as had been hoped, the council has appointed a new committee to examine ethical and other implications of using the drug. An earlier committee found that a trial would be ethically acceptable.

5% rejected

Vauxhall's 4,000 hourly paid car workers voted to reject the company's latest pay offer. Vauxhall is offering a two-year package — 5 per cent this year with an inflation-linked increase in the second year. There was also to be a lump sum worth half a per cent. Unions want a one-year deal of 12 per cent or one linked to the Retail Price Index plus 3 per cent, which ever is higher.

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Lords told asylum bill proposals will be dropped

Migrants to keep legal aid

BY FRANCES GIBB, LEGAL CORRESPONDENT

THE government confirmed yesterday that it will abandon proposals to withdraw legal aid for immigrants and asylum seekers, after widespread criticism from the legal profession and advice groups.

The decision was announced by Earl Ferrers, Home Office minister, in the second reading of the Asylum Bill in the House of Lords. He promised a full opportunity for consultation if the proposals to end what is called the

"green form" scheme were later revived.

The move was immediately

opposed by the Law Society, the Bar and the Legal Action Group, some of the many organisations which have opposed the proposals. John Appleby, chairman of the Law Society's courts and legal services committee, said the society was delighted that the government had recognised public concern over this issue.

"We made it clear from the day the proposal was first

intended that the United Kingdom Immigrants' Advisory Service should take over the job from solicitors of advising immigrants. Disputes inside the service have left it in turmoil, and Lord Ferrers said yesterday that its governing committee were no longer

supervising the service in the manner which should be expected of an organisation receiving government grants.

The grants would be withdrawn and transferred to a new body which would be responsible for representing asylum seekers under the new appeal system, he said.

Lord Ferrers said that, in the coming year, there would be extra immigration officers, appeals adjudicators, 150 extra detention places and additional hearing rooms, and the government would spend nearly £50 million in processing asylum claims. The extra resources would help to identify quickly the genuine refugee and asylum seeker, he said.

Lord King, chairman of British Airways, protested to the government that tighter controls proposed in the Asylum Bill could needlessly extinguish an "important part" of BA's £25 million transit business.

In an sustained attack on

the increasing burden put on airlines to verify passengers' documents, the Conservative peer warned ministers that many international passengers

would choose to fly via continental airports instead of through London because of the new controls.

Patrick Nicholls, a Conservative MP and solicitor who attended Lord Mackay's briefing, said: "I feel a lot less unhappy, having heard the Lord Chancellor. But we must see the final figures before we can pass judgment."

Law Times, L&T section, pages 7, 9

Law Report, L&T section, page 11

Mackay seeks MPs' backing

THE Lord Chancellor, Lord Mackay of Clashfern, took steps yesterday to counter the mounting public relations campaign against his proposals for fixed fees in magistrates' courts by lobbying every MP (Frances Gibb writes).

In what is thought to be an unprecedented move by a minister, he sent a briefing paper to MPs and held a briefing session to explain his thinking. The paper, issued 48 hours before Lord Mackay addresses solicitors on his proposals at their first national mass protest rally tomorrow, highlights among a

list of "important facts" the need to curb the big rise in costs in criminal legal aid for crown court and magistrates' court cases. "In gross terms, lawyers are now receiving over £1 billion a year from all forms of legal aid."

Lord Mackay also tells MPs that the proposed scheme of fixed fees, to replace hourly rates, is "not a cost-cutting measure". After representations by the Law Society, he has agreed to lower and upper standard fees.

These should "help to control the rising cost of criminal legal aid in magistrates' courts by pegging the rate of

increase of average costs for this type of work to the annual increase in the statutory legal aid rates." They would reward those who carried out their work proficiently and quickly.

Patrick Nicholls, a Conservative MP and solicitor who attended Lord Mackay's briefing, said: "I feel a lot less unhappy, having heard the Lord Chancellor. But we must see the final figures before we can pass judgment."

Law Times, L&T section, pages 7, 9

Law Report, L&T section, page 11



Small device, big prize: Mr Bunce with his trophy and winning invention

Blood tester wins £10,000

BY PETER VICTOR

A DEVICE for carrying out on-the-spot urine or blood tests won the £10,000 first prize in the Toshiba Year of Invention Awards yesterday. The prize and trophy for the printed liquidic circuit was presented by David Mellor, treasury secretary, at the Savoy Hotel, London.

The circuit, a single layer of filter paper printed with a pattern of wax tracks to control liquid flow, was developed by chemists and

engineers at the Wolfson research laboratories at Birmingham University. The team's leader, Roger Bunce, said the tiny device would enable tests for pregnancy, HIV antibodies and cholesterol levels to be carried out while the patient waits in the doctor's surgery.

The team is investigating future applications for the device, including measuring soil nutrient levels and spot checks on food products.

Troops move in as Ulster talks open

BY EDWARD GORMAN, IRELAND CORRESPONDENT

A FURTHER 600 troops were on their way to Northern Ireland last night to tackle rising violence.

The deployment, the fourth temporary increase in force levels in the province since November, came as Sinn Fein said that elements in the republican community may be planning a strike against Protestants as revenge for last week's betting shop shooting of five Roman Catholics.

The new deployment, which was not officially confirmed, is thought to be to the Tyrone area of mid-Ulster, where men of the 2nd Battalion, the Queen's Regiment, will be based. Their arrival swells regular army numbers in the province to their highest since 1980, at between 12,000 and 12,300.

The move, on the eve of today's meeting at Downing

Street between the prime minister and the four constitutional party leaders in the province to discuss security,

received a guarded welcome from unionist politicians.

David Trimble, MP for Upper Bann, said that he hoped that it was not a cosmetic gesture but part of a coherent overall strategy for the defeat of terrorism".

Sinn Fein yesterday called for calm amid speculation that a republican group may be planning retaliation on Protestants for the betting shop murders committed by the Ulster Defence Association in Belfast. Gerry Adams, Sinn Fein president, reiterated IRA policy not to support purely sectarian violence, said he wanted to warn any group planning such action that it would have no role in the republican struggle.

EC sauce passes taste test

BY ROBIN YOUNG

THE British housewife's dish for Europe was unveiled and consumer-tested yesterday at Claridge's in London and by passers-by on the street outside.

Peachy pork, the invention of Doreen Collinson, a retired nurse from Stone, Staffordshire, was chosen from an entry of almost a thousand in a competition organised by Woman magazine and Oxo. It was served for lunch in one of the hotel's banqueting rooms and on Brook Street. "Business is bad inside here," the hotel linkman joked to a waiting cabbie, "that we have opened a take-away."

She said that she avoided beef because of suspicions about BSE and eschewed lamb for fear of upsetting

the French. She thought that there would be too many entries based on chicken, and so plumped for pork, then added ingredients from as many European member states as she could manage. "Bear in mind the competition rules said it had to be prepared in half an hour, and had to include at least one cube of Oxo."

In addition to Danish pork, she used lemons from Spain, herbs from Greece, peaches from Italy and mustard and wine from France.

In the end, though, the judges chose her recipe for sheer palatability, and not its political balance.

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SUNALLIANCE
LIFE & PENSIONS

Councillor marries prostitute accused of blackmailing him

BY MICHAEL HORSNELL

A TEENAGE prostitute accused of blackmailing a local councillor after picking him up in a red light district has secretly married her accuser and walked free from court.

The story of the romance between the prostitute, aged 19, and the councillor, aged 60, was described at the Central Criminal Court yesterday from which Rosemary Eliftheriou was freed after the Crown offered no evidence against her.

Ronald Holt, her husband, who is a Liberal Democrat on Southwark council in south London, married her last Wednesday, the day the trial was originally listed to begin. She, however, sent the court a medical certificate claiming that she was ill.

Last night there was no answer from the couple's home in Southwark. A spokesman for the council said: "The private lives of our councillors are not our business."



Eliftheriou: stopped Mr Holt in King's Cross

Keays attacks baby trap 'lie'

BY JEREMY LAURANCE
HEALTH SERVICES CORRESPONDENT

SARA Keays condemned newspaper stories that she became pregnant as part of a plot to trap the former minister Cecil Parkinson into marrying her as "an appalling lie" in the High Court yesterday.

Mr Parkinson knew she might become pregnant during their 11-year affair, she told a libel jury. "He used to joke about it, that he was bound to be a boy and say things like 'If he had my beauty and your brains, Sara, he'll go far'."

Miss Keays, aged 44, said that their daughter, Flora, now eight, was conceived at a time when she believed Mr Parkinson intended to marry her. After the affair became public in 1983, newspaper articles suggested that Flora was part of a "plot to keep this man". But Miss Keays said her daughter was loved and wanted.

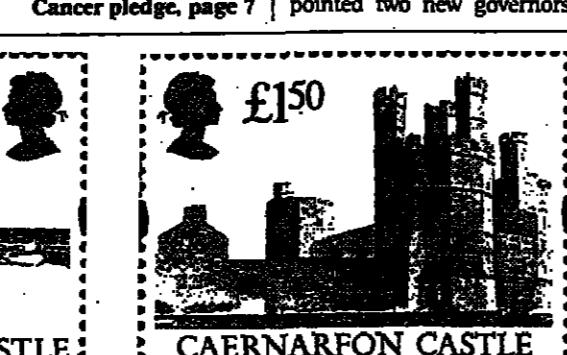
Miss Keays of Marksbury, near Bath, was giving evidence on the sixth day of her action against *New Woman* magazine, which she claims accuses her of being a kiss-and-tell bimbo who wrote her book, *A Question of Judgement*, to make money and cause maximum embarrassment to Mr Parkinson.

She said that Mr Parkinson had asked her to marry him on three occasions. "The relationship continued because I believed he wanted and intended to marry me. My daughter was conceived in such a relationship."

Miss Keays said her "blood ran cold" when an article in *The Sunday Times* referred to diaries and tape recordings she had kept on her affair with Mr Parkinson. "That would confirm everyone's suspicions about the book being kiss and tell. It's awful."

The hearing continues today.

Cancer pledge, page 7



Colour coded: the Queen's head on these high-value stamps changes from green to gold in varying light to make life hard for forgers. Part of a set of four, they will be issued on February 24

Low-flying jets make eggs go white

BY MICHAEL HORNSBY
AGRICULTURE CORRESPONDENT

LOW-FLYING military aircraft are frightening poultry in the West Country causing them to lay misshapen eggs with white shells, according to vets and farmers. In their panic, hundreds of birds are said to have turned to cannibalism or been suffocated.

David Shingleton, a vet in south Devon, said: "When the birds are frightened they fail to produce the pigment that darkens the shells. The egg shell is also often thinner, and sometimes deformed, and the number of eggs laid is reduced."

Most egg producers supply supermarket chains that demand brown shells because consumers prefer them.

White eggs usually sell for no more than 20p a dozen, compared with 70p to 90p for brown.

Mr Shingleton said: "If birds are outside, they will all rush for the hen house and some get crushed to death as they try to squeeze through the portholes. If they are inside, they will fly to one end of the house and pile on top of each other. I have seen up to a third of a flock killed in this way."

Bob Cox, who has a flock of 40,000 layers at Combe Martin, north Devon, is seeking £1,000 in damages from the defence ministry over an incident in January of last year. "We heard this tremendous roar in the early hours when it was still dark. Afterwards we found 850 birds piled up and suffocated in one house and 50 dead in

another." A similar incident in March resulted in fewer deaths, but large numbers of white and misshapen eggs, he said.

Dennis Brown, a farmer of East Anstey, Devon, recently had to slaughter 14,000 hens because they were so badly stressed by low-flying planes, according to Paul Cooper, the National Farmers' Union's poultry adviser in the South West, who is pursuing seven cases with the defence ministry.

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Flower girl: Claire Rosie, aged eight, from Flotta, Orkney, waiting to present a bouquet to the Queen at the Royal Opera House last night before a performance of Don Giovanni to mark the 40th anniversary of her accession

Doctor who freed killer may keep job

BY THOMSON PRENTICE
MEDICAL CORRESPONDENT

A PSYCHIATRIST given special leave since freeing a mental patient who then stabbed a girl to death may get his job back after six months of additional training, his health authority said yesterday.

Nell Silvester, a consultant psychiatrist at Doncaster Royal Infirmary, admitted yesterday that he was wrong to release Carol Barratt, aged 24, from a secure unit last April, halfway through a detention order made after she threatened a girl with a knife.

Two days after her release, Barratt killed Emma Brodie, aged 11, in a Doncaster shopping centre. Last October she was sent to a maximum security hospital for an indefinite period after admitting manslaughter on the grounds of diminished responsibility.

Dr Silvester was found to have committed "a serious error of clinical judgment". Yesterday he expressed his profound and sincere regret to Emma's family and friends at their terrible loss. "I accept that no amount of words can possibly explain to her family and friends the reason why on the 14th of April I agreed to regrade Carol Barratt's status to a voluntary patient, thereby allowing her to discharge herself to her mother's care when in a disturbed state. My decision was a difficult one. However, I acknowledge that it was wrong."

Trent Regional Health Authority said: "Dr Silvester has considerable potential to do much more good work. He should be given the opportunity to fulfil this potential."

£1.6m for motor-cycle man left in 'coma'

A landscape gardener who suffered catastrophic brain damage in a road accident which left him in a permanent coma-like state won damages likely to be worth up to £1.6 million in the High Court yesterday.

John Norris, aged 24, was knocked off his motor cycle by a van near his home at Poole, Dorset, two years ago. He gets a lump sum of £135,000 and an index-linked £50,000 a year. Doctors give him up to 15 years to live. Damages will be paid by the insurers of the van driver, Michael Keene, aged 69, of Bournemouth, Dorset, who was convicted of driving without due care and attention and admitted liability.

Car boot find

A valuable painting stolen five years ago has been recovered after a man took it to Sotheby's to sell. He had bought the work, a view of Westminster Abbey by John Inigo Richards, a founder member of the Royal Academy, for £40 at a car boot sale.

The Art Loss Register, a private list of stolen art, confirmed that the painting had been stolen in 1987. The work is thought to belong to the Marquess of Bute.

PC sentenced

A policeman who stole £28,000 while treasurer of a police "thrift fund" was put on probation for three years after a judge was told that he had a brain disorder that affects judgment. At Southwark crown court, south London, PC Gordon Finnie, aged 45, who was based at Holloway, north London, admitted ten charges of theft. He has been suspended from the force. His brother has repaid the money.

Jail criticised

Serious overcrowding in two wings of Hull prison is criticised today in a report by Judge Tunnicliffe, chief inspector of prisons, as being unacceptable. It says that some cells are dirty, poorly decorated and covered in graffiti.

New regiment

The merged Queen's and Royal Hampshire Regiment is to be named the Princess of Wales Royal Regiment. The princess is colonel-in-chief of the Royal Hampshire.

Woman drove 236 miles with body

A WOMAN who drove around the country in a hired van with her former lover's mutilated body in a wardrobe in the back was jailed for three years yesterday.

Maria Spence, aged 39, travelled 236 miles to find a place to dump the body, the Central Criminal Court was told by David Page, for the prosecution.

Spence, a mother of two, lured Derek Willis, aged 39, to her high-rise flat in Chelsea, west London, last February after persuading a male friend to give Willis a beating. He was stamped on so violently that all but two of his ribs were broken. He was also stabbed and his throat was slit. He died from shock and asphyxia from having his chest crushed.

The court was told that Spence hid the body in a wardrobe and asked her

brother to help to move it into the van. Mr Page said: "He complained that it was extremely heavy and suggested it be emptied first. She said there were books inside and it would be best if they stayed put and he agreed."

After three days she dumped the wardrobe outside garages in Wandsworth, southwest London.

On her arrest, Spence allegedly told police: "I just can't

stand this any longer. I didn't mean to kill him. I never meant to do that for far."

Spence, who is unemployed, was cleared of murdering Willis, also unemployed, but was convicted of manslaughter. She had admitted attempting to pervert the course of justice.

Anthony Kilti, aged 30, unemployed, was cleared of murder and of perverting the course of justice.

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Low-flying jets make eggs go white

BY MICHAEL HORNSBY
AGRICULTURE CORRESPONDENT

LOW-FLYING military aircraft are frightening poultry in the West Country causing them to lay misshapen eggs with white shells, according to vets and farmers. In their panic, hundreds of birds are said to have turned to cannibalism or been suffocated.

David Shingleton, a vet in south Devon, said: "When the birds are frightened they fail to produce the pigment that darkens the shells. The egg shell is also often thinner, and sometimes deformed, and the number of eggs laid is reduced."

Most egg producers supply supermarket chains that demand brown shells because consumers prefer them.

White eggs usually sell for no more than 20p a dozen, compared with 70p to 90p for brown.

Mr Shingleton said: "If birds are outside, they will all rush for the hen house and some get crushed to death as they try to squeeze through the portholes. If they are inside, they will fly to one end of the house and pile on top of each other. I have seen up to a third of a flock killed in this way."

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Gilt-edged lifestyle of a conman

Peter Clowes looked like the kind of man investors could trust. Not only his looks were deceptive. Jon Ashworth charts the spectacular downfall of a working class boy made bad

PETER Clowes made an unlikely jetsetter. He would have looked as at home on a beach in Bali as a Californian surfer behind a dealing desk in the City. His clients warmed to him. Here was a normal person, someone who called a spade a spade and who had not forgotten his humble roots in a Manchester suburb. Someone they could trust.

But jetsetter he was, with a home in Cheshire, a chateau in France, two yachts in the Mediterranean, a farm in the Peak district, a Porsche, a helicopter and four executive jets, two with P and C registrations to match his initials. He drank Veuve Clicquot champagne and took holidays in the Caribbean. During the boom years of the Eighties, Clowes was living life to the full.

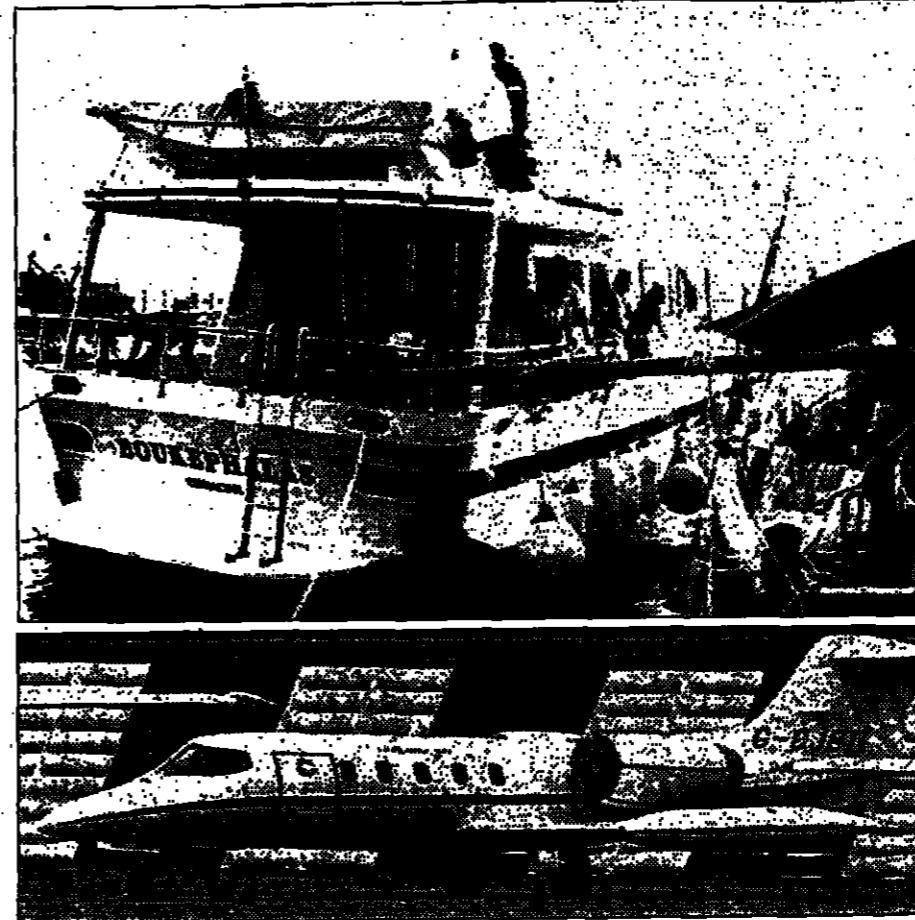
He and some of his compatriots blew £113 million in an orgy of spending that knew no bounds. The collapse of his investment empire in May 1988 triggered a chain of events that ruined countless lives and brought scorn on the trade and industry department, which licensed Barlow Clowes in 1985.

It was the department's failings that prompted the government to grant a £150 million Christmas handout to 18,000 investors in December 1989. The payments were a humanitarian gesture. The government accepted no blame for the collapse and is now pursuing for recompense any financial institution involved in recommending Barlow Clowes.

The Peter Clowes story reads like a best-seller. A working class boy, he left school at 15 to work in his parents' hardware shop in Manchester. After ten years



Jetsetter: Peter Clowes, the man investors thought they could trust, and the trappings of a flamboyant lifestyle funded by their savings, Boukephalas, above right, bought from Christina Onassis, and one of his four personal jets



In 1985, as Britain soared into one of the strongest bull markets of the century, Barlow Clowes seemed the perfect choice, offering high rates of interest, no hidden charges, and instant access to funds. Best of all, the money was invested in securities backed by the government. What could be safer?

A great play was made on the practice of "bond-washing", since banned, which involved buying gilts after a dividend had been paid and selling them before the next dividend payment. That device was used to turn income into capital gains, and appealed to investors seeking to minimise their tax liabilities.

So the money came pouring in. By now, Clowes had begun expanding far beyond his original brief. He had investments in property, jewellery and aviation, hidden behind a web of offshore companies and nominees.

By the time of his arrest, everyone in Britain had heard of Peter Clowes. £10 million spent, spend Clowes screamed one head-

line. "£100 million may be lost for ever in jet set tycoon's big crash" declared another.

For the first time, investors read of the Boukephalas, a 101 ft floating palace bought from Christina Onassis for \$2.5 million, which slipped its moorings in Spain as receivers were about to pounce, and of her sistership, the Kuwaiti-registered Yara, bought for \$1 million.

They read of the 16th century Chateau d'Auros and its 50-acre estate with its "own label" wine near Bordeaux, bought for £600,000, and of Far Coombes, a 292-acre sheep farm in the Derbyshire Peak district.

They read of Clowes' £80,000 silver Porsche coupé decked out in can-can red leather, his £68,000 Bentley Turbo, and of how the former husband of his wife, Pamela, was also his chauffeur.

They read of the personalised Learjets based on the Isle

of Man, one of them kitted out with cocktail cabinet and in-flight television, the Squirrel helicopter and the landing pad at his luxurious home, the long weekends in the Caribbean, the champagne parties, the farm in Surrey, and the jewellers in Hatton Garden. There was no end to the stories.

When the storm broke, Clowes was adamant that he had done nothing wrong. He promised investors in the Gibraltar fund that they would be fully reimbursed within a year. Then, in an

abrupt about-turn days later, he admitted to channelling more than £100 million of investors' money into a range of businesses. He was arrested soon afterwards.

Even as the investigations continued, Clowes found it impossible to shrug off his flamboyant image. There was an outcry when he was granted £1,000 a week living expenses by the liquidators in return for his assistance in tracing funds while the investors, many of whom had lost their homes, were losing their homes. There was fur-

ther outrage when it emerged that Clowes was spending £150,000 to renovate a cottage held in his wife's name.

When the going was good, Barlow Clowes seemed like an investor's dream. Here was an apparently reputable company that advertised in respectable newspapers and promised high returns.

Today, with the Financial Services Act, investors can rest a little easier when they hand over their cheques. But it makes you wonder.

Clowes guilty, page 1

Report slated failure of DTI

BY JON ASHWORTH

THE Barlow Clowes collapse was a disaster for the Department of Trade and Industry, which granted the UK operation a trading licence in 1985 (Jon Ashworth writes).

In his report on the affair, Sir Anthony Barrowclough, the parliamentary ombudsman, said the trade department was guilty of significant maladministration in its handling of Barlow Clowes. The government later granted a £150 million payout to the 18,000 investors.

Nicholas Ridley, trade secretary when the report was published in December 1989, said the government did not agree with Sir Anthony's findings. He added that it had decided, in the "exceptional circumstances" of the case, to make substantial ex gratia payments.

The government has subsequently issued 600 writs against intermediaries and professional advisers to try to recover the £150 million in compensation.

Touche Ross, the auditor, a stockbroker and two firms of London solicitors are being sued for alleged negligence concerning James Ferguson Holdings, which bought Barlow Clowes in 1987. All four high street banks are being sued along with Allied Dunbar and Legal & General, the life assurance groups.

Sir Anthony's report on the affair concluded that Barlow Clowes should have been shut down as early as 1984 when the National Association of Securities Dealers and Investment Managers, the forerunner to Fimbra, reported alarm "on the grapevine" about the investment group.

In December 1983, the department became aware that Barlow Clowes was dealing in securities. Six months later, it wrote to the company pointing out that a licence was required. After an audit by Spicer & Pegler, a licence was granted for the UK operations in October 1985.

The licence was renewed in September 1986 and Barlow Clowes applied to the Stock Exchange for membership in January 1987. In October 1987, a decision was taken to investigate Barlow Clowes. Government announces £150 million payout for investors.

March 13, 1990 — Clowes sent for trial.

March 16, 1990 — Clowes granted legal aid.

October 8, 1990 — Preliminary hearing at Central Criminal Court, London.

March 25, 1991 — Clowes reported "seriously ill" in hospital. He is said to be suffering from ulcers.

July 2, 1991 — Trial opens at Chichester Rents.

February 10, 1992 — Clowes convicted. Naylor convicted on one theft charge and acquitted of three theft charges and one of conspiracy. Mr von Cramer and Mr Newman acquitted of all charges.

Clowes, I would hope they have all done as we have now and put their money into something much safer."

Frank and Christine McDermott, from Llandrindod Wells Powys, had put £20,000 with Barlow Clowes.

The couple, both aged 72, were on the point of investing the proceeds of a house sale when the crash came.

"We had a funny feeling about Barlow Clowes at the last minute and kept the money back. They had sent us literature which said not to declare earnings on your income tax return. It seemed odd," Mrs McDermott said.

When the bad news arrived with the morning paper, the McDermotts went "into shock". After a week or so, they had come to terms with their loss. "We said we still had each other and our health, then we decided to fight for our money back," Mrs McDermott said.

The couple joined an investors' group. "We began to laugh at ourselves for having made such a dreadful mistake; it was a way of keeping our spirits up. But we never really expected to get the money back," she said.

Like so many other investors with Barlow Clowes, the couple were incensed when they heard that the chief architect of their misfortune was to be allowed to draw £1,000 a week for living expenses. "It made us so angry, this man who had conned all these people being allowed to carry on enjoying all the luxuries life had to offer," Mrs McDermott said.

"No matter what Clowes is sentenced to, that will never make up for the suffering he put others through," she said.

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Cheques/Postal Orders should be made payable to: Times Newspapers Ltd, or debit my: Visa/Amer/Diners/Access with the sum of £_____	
Card No. _____	
Expiry Date _____ Today's Date _____	
Write your message below (approximately 28 characters per line including spaces and punctuation). Minimum 3 lines.	
Recipient's name and address _____	

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Public sector awards

Classroom pay averages £18,200

BY JOHN O'LEARY

THE first award for teachers from their pay review body will give them the year's biggest rise in the public sector, Kenneth Clarke, the education secretary, claimed yesterday.

The government has agreed to implement in full the recommendations of the new review body chaired by Sir Graham Day, chairman of British Aerospace. Local authorities will receive an extra £60 million to fund a 7.8 per cent increase in the teachers' pay bill.

All teachers will be given a 7.5 per cent rise in April, and

26,000 primary teachers will also receive incentive allowances from September. The bonuses of between £1,296 and £4,000 for special responsibilities or outstanding classroom performance are intended to create a fairer division between primary and secondary schools.

The settlement will give the average classroom teacher £18,200 a year, and break the £50,000 barrier for the first time for the best-paid head teachers. A third of all teachers will earn more than £20,000.

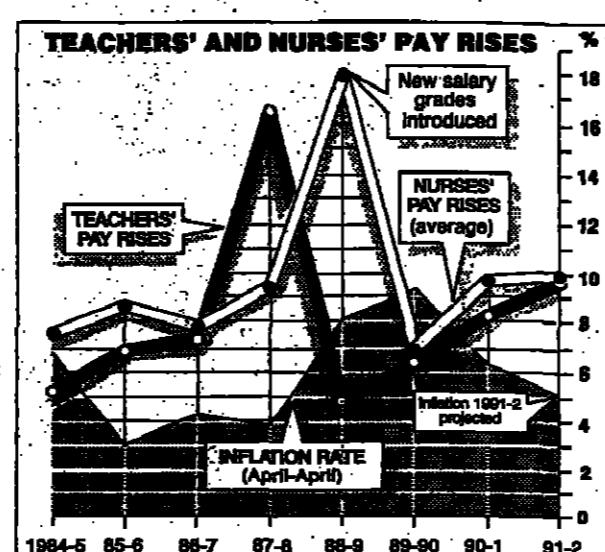
Sir Graham's group has delayed consideration of the changes sought by Mr Clarke

to introduce performance-related pay. While accepting the principle, the review body raised a number of difficulties in constructing a fair system. A scheme to reward whole schools, rather than individual teachers, may be introduced in 1993-4.

Teachers' unions, which had been seeking increases of up to 26 per cent, gave the announcement a mixed reaction. The Assistant Masters and Mistresses Association said it was "disappointing but realistic", while the National Association of Schoolmasters and Union of Women Teachers said that the increase was a "small step forward". The National Association of Head Teachers saw it as "a reasonable first step on the long road back to decent pay comparability for teachers".

The National Union of Teachers, however, said: "No matter how you spread too little, it remains too little. This cannot be seen in isolation from past settlements." Starting salaries would still be £912 below the real terms equivalent before the 1987 election, and to recruit sufficient new entrants, schools would have to rely on the recession continuing.

The review body's report said: "Our judgment is that



general problems of recruitment and retention have diminished; but that serious difficulties remain in some subjects and some localities.

However, some deterioration seems likely as the economy moves out of recession." Mr Clarke dismissed local authorities' claims that they could not afford more than 3.7 per cent. He said that education budgets had 7.2 per cent built in for teachers' pay, and the extra £60 million to be added to the rate support grant would plug the gap.

Mr Clarke said: "I am delighted that the review body has concluded that teachers deserve a substantial pay increase. It is a tribute to teachers' dedication and to their achievements." Without the establishment of the pay review body, the award had 7.2 per cent built in for teachers' pay, and the extra £60 million to be added to the rate support grant would plug the gap.

For the first time in three years, the increase will be paid in full, rather than being phased in over several months. Classroom teachers will receive the same as heads and deputies because the review body found no case for widening differentials for a third successive year.

The extra incentives will mean that 7 per cent of all teachers receive some allowance for special responsibility or high performance. All primary schools will benefit from the change, which should see 220,000 teachers receiving incentives by September. Teachers' pay will be simplified from next year, and the education department will produce a layman's guide to the current settlement to inform governors.

Jack Straw, Labour's education spokesman, said: "Teachers will view this award with cynicism. The last time, they received a significant real terms increase was just before the 1987 election." Jeremy Beecham, chairman of the Association of Metropolitan Authorities, said that education authorities remained £300 million short of the amount they would need to fund the settlement, and 12,500 teaching jobs were in jeopardy.

£1.8bn pay rises, page one
Leading article, page 13

Dentists condemn hollow victory

BY JEREMY LAURANCE
HEALTH SERVICES CORRESPONDENT

DENTISTS are to receive an 8.5 per cent pay rise, double the rate of inflation and 3 per cent above that for doctors, because a growing number are experiencing "business difficulties" running practices in the NHS. The rise takes their target average pay to £35,815.

However, dentists may end up with a pay cut. This year, they have done more work than expected and received a "substantial overpayment", according to the health de-

partment. Dentists' leaders are negotiating with the department how it is to be paid back, but they have been told that they have already received more than their rise is worth. The British Dental Association called the 8.5 per cent rise "a hollow victory".

In its report, the Doctors and Dentists Review Body says that it is "concerned to hear that NHS dentistry at the required professional standard may no longer be viable for some practitioners". It had "become very clear that the present remuneration system does not reward them adequately and fairly" because of variations in patterns of working, age and earnings.

Last month, the department published a survey showing that a quarter of dentists are turning away some NHS patients as they increase private practice.

The Doctors and Dentists Review Body says that a survey shows dentists working longer hours, and coping with more work and administration. It also took into account "reports of business difficulties."

The doctors' rise has been held to 5.5 per cent, taking the maximum for a consultant, without a merit award, to



Open wide: dentists' 8.5 per cent rise may be eaten up by repayment rules

Post	1992-93 £	1991-92 £
House officer	13,000-14,680	12,325-13,915
Senior house officer	16,225-20,585	15,375-19,515
Registrar	16,395-22,310	17,440-21,145
Senior registrar	21,185-26,810	20,085-25,405
Consultant	37,905-48,945	35,930-46,980
Sir medical/dental officer	52,165-63,185	50,310-61,985
Associate specialist	22,475-33,105	21,310-37,085
Community clinical dental staff	18,485-27,155	17,520-25,740
Dental officer	27,155-36,715	25,740-34,800
Senior dental officer		
Community dental staff		
Dental health trainee	18,385-26,810	17,440-25,405
Area district dental officer	30,045-38,805	28,480-36,780
Trainee	18,385-26,810	17,440-25,405
Consultant	37,905-48,945	35,930-46,980
Community health staff		
Clinical medical officer	19,385-26,955	18,980-25,565
Senior clinical medical officer	27,685-38,705	26,225-37,935
Nurses		
Student nurse/midwife	6,820-7,900	6,440-7,450
Grade A	7,000-8,570	6,805-8,100
Grade B	8,300-10,500	7,700-9,800
Grade C	9,450-11,180	8,850-10,570
Grade D	10,620-12,400	10,230-11,720
Grade E	12,400-14,350	11,720-13,570
Grade F	13,750-16,830	12,985-16,820
Grade G	16,200-18,750	15,820-17,920
Grade H	18,450-21,470	17,100-20,700
Grade I	20,950-22,700	18,955-21,470

Defence increase aims to keep skilled staff

BY MICHAEL EVANS
DEFENCE CORRESPONDENT

BRITAIN'S servicemen and women are to receive a pay rise of 5.9 per cent from April 1. The increase, above inflation, is less than last year's, which ranged from 11.5 per cent to 18 per cent.

The increase affects 285,000 service personnel up to, and including, the rank of brigadier. The higher ranks receive a separate award, and military doctors and dentists are covered by the National Health Service pay rises.

The government has agreed once again to pay the increase in full, fearing that a phased rise might provoke skilled personnel to leave the forces.

Warrant officers have been given a bigger rise of 7.9 per cent. The Royal Navy and RAF equivalent ranks earmarked for the extra 2 per cent are chief petty officer and master aircrew. The

increase from £7,466 to £7,884. Brigadiers' salaries will rise from £50,003 to £52,808.

Last year, brigadiers received the biggest rise of all, of 18 per cent. Their salary is now only £192 a year below that of major-generals, whose pay increase has been frozen until summer.

Reserve forces will have to wait until next year for a review of bounty payments. The defence ministry has announced the outcome of a review into the reserve forces, but it was published too late to include pay recommendations in time for yesterday's report.

The ministry is expected to announce, later this week, new housing arrangements for the services to enable benefit to be taken from schemes now restricted to civilians.

Four frontline RAF squadrons will come under the command of a Luftwaffe general in the latest plans for a Nato rapid reaction air force.

they will consist of two squadrons of Jaguars from RAF Coltishall, Norfolk, one

squadron of Harriers, from RAF Wittering, Cambridgeshire, and a squadron of Tornado GR1As from RAF Marham, Norfolk. The force will also include several German Tornado squadrons and Dutch, Belgian and Norwegian F16 fighter squadrons.

Britain won command of

the land component of the

rapid reaction force in the

face of stiff German opposition

and is happy to see a

Luftwaffe general take charge

of the air arm.

Kuwait's defence minister

will today sign a defence

agreement with Britain ex-

pected to be worth hundreds

of millions of pounds to in-

dustry. Sheikh Ali Sabah al-

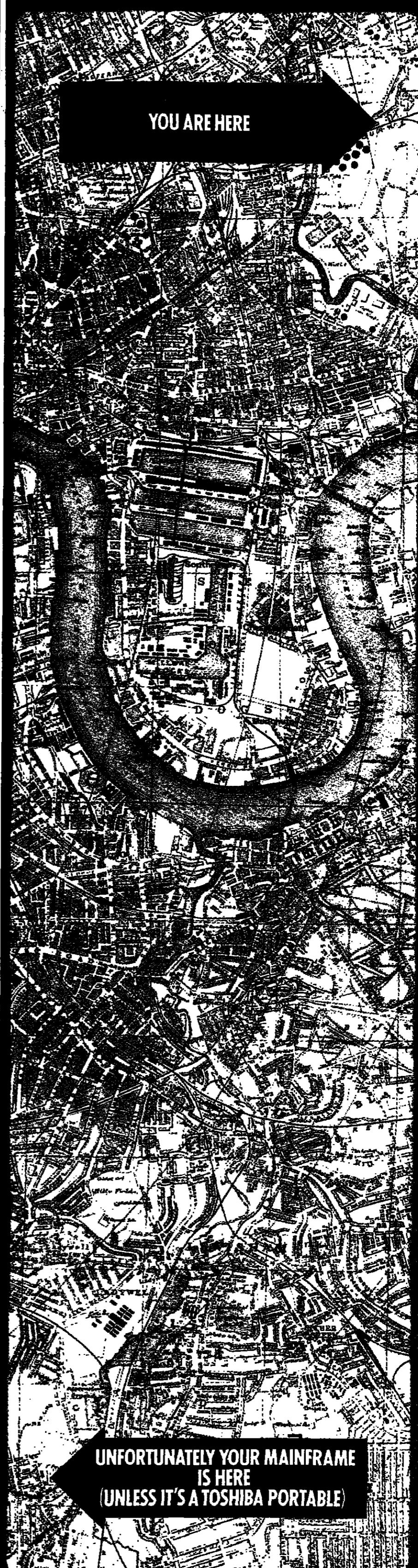
Salem al-Sabah will sign a

memorandum of understand-

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sales, joint exercises, plan-

ning and training.



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MODEL	YEAR OF REG	MONTY YEAR OF EXPECTED REPLACEMENT
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Motorway drivers get new service

BY PETER MULLIGAN

THERE will be more motorway service areas, which could be smaller and more environmentally friendly than at present, under a plan to give greater freedom to private developers, Malcolm Rifkind, the transport secretary, said yesterday.

Mr Rifkind pledged in the Commons to let the private sector choose sites for service areas. At present, the transport department fixes a site and finds an operator by putting a 50-year lease out to tender.

Mr Rifkind said he was proposing to sell off the 44 existing sites to their operators, and to allow one service



Oil reserve rejected

European Commission proposals to retain more than 90 per cent of British North Sea oil output as part of a strategic oil reserve, disclosed in *The Times* earlier this month, are considered by the government to be preposterous.

Lord Cavendish of Furness, for the government, told the Lords yesterday at question time that such proposals were not worthy of consideration.

Taking cover
Christopher Chope, the roads and traffic minister, is to discuss with the car insurance industry displaying insurance discs on windscreens in an attempt to reduce the number of motorists driving without cover.

Post pledge
Sir Patrick Mayhew, the Attorney-general, said he hoped a successor to Barbara Mills, the new Director of Public Prosecutions, as head of the Serious Fraud Office, would be in place by the end of March.

Parliament today
Commons (2.30): Questions; employment; prime minister. Further and Higher Education Bill, second reading and timetable motion.
Lords (2.30): Education (Schools) Bill, second reading.

station every ten miles instead of one every 30 miles.

John Prescott, the shadow transport minister, denounced the plan and pledged to reverse it if Labour came to power.

Some MPs were concerned that the green belt might be affected by a greater number of service stations. Mr Rifkind assured them that the normal planning regulations would apply: the environment department is to issue guidance to local authorities. He indicated dissatisfaction with the present system: Motorway services had failed to keep pace with motorway development, he said.

He is considering whether to allow the department the right to ensure minimum standards — such as the length of opening hours and number of parking places — or to allow services to be decided by the market. The proposals have been put out to consultation, which will end by March 20.

"Some new sites in the pipeline are well advanced and will be taken forward under broadly the existing arrangements," Mr Rifkind said. "This will be the quickest way of providing these much-needed services. On other stretches of motorway, although the department has done preliminary work in planning for services, we will now expect the private sector to take the opportunity to fill the gaps."

Mr Rifkind said the move flowed from the announcement of the citizen's charter when the government had declared its wish to see more motorway service areas and greater consumer choice.

Mr Prescott accused him of continuing the "public relations rhetoric" over the charter. Mr Prescott said the decision was "born out of the prime minister's experience at the Happy Eater" — a reference to John Major's surprise stop at a service station while travelling through a snowstorm to the Young Conservatives' conference in Scarborough a year ago.

"This represents a complete handing over of power of the development rights to the developer for the exploitation of the beautiful areas around our motorways, and as the next transport secretary I will not allow it to take place," Mr Prescott said.

For the Liberal Democrats, Ronald Fearn welcomed the move and said that smaller units had been needed for some time.

Matthew Parris, page 16

Bane of the left gives Tories teeth

BY ANDREW PIERCE

DR JULIAN Lewis, the Conservative Central Office apparatchik who is masterminding the preparation of dossiers on Labour and Liberal Democrat general election candidates, thrives on conspiracy theories.

He proved it soon after his arrival as joint deputy director of the research department in January 1990, trying, in vain, to persuade research department desk officers to shred confidential documents. Dr Lewis, aged 40, does not believe in taking chances: he shreds his newspapers so that no one will know what articles he has cut out. Dr Lewis, a bachelor who drives to work on a powerful motorcycle, had security devices installed in his office, presumably to deter the enemies from within.

The bane of CND, a former infiltrator of the Labour party, who is against all things pacifist, he was hired to give the Tory party teeth. At Central Office some of his new colleagues privately muttered that he made Mrs Thatcher look leftwing. He is described as a loner, and has few interests outside politics, and few friends at Central Office.

Even his enemies concede that Dr Lewis, a friend of the right-wing Freedom Association, provides excellent briefings to ministers on Labour's defence policy. He is a graduate of Balliol and Oxford Conservative Association, and first came to prominence when he joined Newham North East Labour party in 1977 to fight the far left's attempt to deselect Reg Prentice. Writs flew as Dr Lewis exploited Labour's own rule book to gain control of the constituency party. He founded the Coalition

Lewis: shreds his own newspapers for security

for Peace Through Security with Tony Kerpel, Kenneth Baker's right-hand man, and Edward Leigh, now a minister. Its mission in life was to harass CND. When Bruce Kent went on an American peace campaign tour in 1982 a member of Dr Lewis's organisation always arrived before him. Demonstrations marred his every speaking appearance, and the media were briefed about the "communist" priest. In 1982, while playing the national anthem over a march headed by Tony Benn and Arthur Scargill against the Falklands war, Dr Lewis was briefly arrested, but not charged, for breach of the peace.

Dr Lewis, who tried and failed last year to succeed Mrs Thatcher as the party's candidate in Finchley, almost won Swanscombe West for the Tories in 1983. He laughs at suggestions that he is out to discredit opponents. When he took up his post he said: "I don't go in for smearing people ... But I do show people how easily they can be hoodwinked by the devious minds of the left."

Labour to spend extra £50m on cancer

BY JILL SHERMAN
POLITICAL CORRESPONDENT

THE Labour party is to target the £50 million it would get from abolishing tax relief for private health insurance on improving cancer services, Robin Cook, shadow health secretary, said yesterday.

At a press conference with John Cunningham, Labour's campaign co-ordinator, Mr Cook claimed that the numbers taking out private health insurance had risen by 188 per cent under the Tories. He challenged Norman Lamont, the Chancellor, to prove that the Tories would stop privatising the health service by scrapping tax relief on health insurance for pensioners in the Budget.

Labour would abolish the tax handout and use the £50 million this would save on modernising cancer services, he said. "We will use it to end the disgrace that has left Britain with fewer cancer specialists than other European countries and older cancer equipment than some Third World countries," he said.

Mr Cook said that the government's own survey had shown that a quarter of all dentists did not provide NHS cover for adults and the nursing care of elderly patients was already half-way down the privatisation road.

Harriet Harman, the shadow health spokesman, said patients were being driven into private health care as the Tories allowed the NHS to be run down.

Mr Cook gave away few secrets about his new health document, which is expected to be published soon. He said Labour would repeal NHS trusts, "restore GP fund-holders to the same level as other GPs" and abolish an internal market. "There will be no buyers and sellers."

William Waldegrave, the health secretary, told health managers in Birmingham that the number of people waiting for treatment for

Fury of Tory
campaigner says reforms kill patients!



Second opinion: John Cunningham, left, launches Labour's NHS campaign;

William Waldegrave, the health secretary, right, fights back in Birmingham

more than two years had dropped by 13,822 — from 42,019 last September to 28,197 last December.

Next year health authorities will be given £39 million to tackle waiting lists, the same as this year. Health authorities and NHS trusts have been asked to bid for £4.2 million for quality-of-care projects.

GPs budgets, page 3

Oil men given protection

BY ROBERT MORGAN

NORTH Sea oil workers worried about breaches of safety rules will be able to make anonymous complaints to the Health and Safety Executive, Michael Howard, the employment secretary, told the Commons yesterday. Legislation would be brought in as soon as possible to give them statutory protection against victimisation, he said.

Mr Howard rejected demands to amend the Offshore Safety Bill to include the provision. Moving the second reading of the bill, he said that protection from victimisation was an employment as opposed to a safety issue, and to introduce it in the bill might delay it. Legislation would be introduced when a suitable vehicle presented itself.

The bill before the House yesterday implements many of the 106 recommendations made by Lord Cullen in his report on the Piper Alpha disaster of July 1988, in which 167 men died after an explosion on the North Sea oil rig. The government has undertaken to implement all Lord Cullen's recommendations.

BR sell-off proposal promised

By NICHOLAS WOOD
POLITICAL CORRESPONDENT

MINISTERS moved yesterday to clear up confusion over the privatisation of British Rail by making it clear that they intend to publish their detailed proposals for the sell-off before the election.

Senior transport department sources said Malcolm Rifkind, the transport secretary, believed that the cabinet committee studying the planned white paper has made "very good progress". They indicated that an announcement would be made before the end of the month.

The debate over BR's future has become bogged down in wrangling between Mr Rifkind and the prime minister. Mr Rifkind has insisted on selling InterCity, the only consistently profitable part of the network, as a going concern. John Major has been arguing for a revival of the old regional railway companies. By the end of last month the two sides appeared to have reached an impasse, with Downing Street sources suggesting that the white paper might be delayed until after the election.

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Germans eager for justice

Former Stasi leader in time-warp trial

FROM IAN MURRAY IN BERLIN

THE time warp trial of Erich Mielke, the man who once terrorised East Germany, opened here yesterday — 61 years too late. As head of the communist state's ministry of state security, he employed 85,000 full-time agents until two years ago. Yesterday 120 armed officers and court bailiffs were on hand to protect him in case any of his victims tried to attack him or any of his former agents tried to rescue him.

The trial is the first so far of senior members of the former communist regime, whose punishment is eagerly awaited by East Germans who suffered under their rule. Although border guards who shot and killed escapees on the orders of men like Herr Mielke have faced trial, none of those giving the orders had yet been brought to justice.

But this trial is not to judge those crimes and threats to prove an embarrassment because so far the only charge against the former Stasi leader is one that is 58 years old. It is based on evidence obtained by the Gestapo from witnesses who were known to have been tortured to name



Mielke allegedly killed two policemen in 1931 him as the murderer of two policemen in 1931.

There are no witnesses alive who can give evidence of having seen Herr Mielke kill them. The charge was drawn up on a Nazi interpretation of a law of the old Weimar republic that has been reinterpreted by the reunified Germany. Now aged 84, Herr Mielke was the oldest man in court yesterday. Theodor Seidel, the chairman of the bench of six judges, was a month-old baby when the two were shot in the back.

Herr Mielke is being tried in the same court where 25 others, charged by the Nazis with involvement in the shooting, were judged. One of them was condemned to death and that would probably have been the fate of Herr Mielke had he not escaped to Moscow. Wood-panelled and gloomy, the high-ceilinged courtroom now looks as though it has never been redecorated since those days.

Yesterday the former Stasi leader, who claims he is too ill to stand trial at all, was helped into the dock by two policemen. He was wearing the dark brown leather fedora which he wore as a kind of badge of office when in power, and which he now insists on taking with him whenever he leaves the prison cell where he has been held for the past 18 months.

He sat, propped up by a cane under one arm, peering out through the bullet-proof glass from under the brim of his hat. A doctor is in permanent attendance and three times yesterday the proceedings had to be stopped as Herr Mielke called feebly through his microphone for help. "I am very sick," he said once. Then it was: "I can't stand it any longer." Just before the end of the 90 minutes allowed for the hearing, he called: "I want to go back home."

Once when he called out feebly, an angry young man called the judges "fascists" and asked how they dared to try the old man. "This place stinks," he shouted out. With five others he had been demonstrating early with placards saying: "Free Mielke" and "Stop the witch-hunt". A rival demonstrator nearby had lit candles in memory of the two dead policemen.

The prosecution, which claims that Herr Mielke's illness is an act, noted him talking vehemently with his lawyers at the end of yesterday's session. He was led away to his cell, where the guards have given him an unconnected telephone down which he is still said to shout orders to spies whom he no longer controls.



Life line: James Baker, top, the American Secretary of State, talking to an American sergeant on board a US air force C5 transport plane at Rhein-Main airbase, Frankfurt, before it took off for Russia with tonnes of relief goods. The flight marked the official start of Operation Provide Hope. At Bishkek, in Kirghizia, above, soldiers unload a plane load of much-needed Western medical and humanitarian aid.

Muddle and efficiency, page 1

Argentina opens file on Mengele

FROM GABRIELA GAMINI IN BUENOS AIRES

FORMER top-secret police files on Nazi war criminals harboured in Argentina, which the national archives opened for public viewing yesterday, revealed that Josef Mengele, the "Angel of Death", lived in Argentina using his real name and escaped repeated half-hearted police attempts to trace him and hand him over for extradition.

Mengele, who ordered hundreds of Jews to the gas chambers at Auschwitz, and performed horrific experiments on them, arrived in Buenos Aires in May 1948. He said he was Gregor Helmut, an Italian, but held an International Red Cross pass-

port. In November 1956 he applied for Argentine documents using his real name.

Police investigations only started in 1960. He escaped to Paraguay in 1964. In 1985, forensic evidence in Brazil confirmed that a body found in São Paulo was Mengele's, who had died at the age of 68, but doubts have been raised over whether it was his body. Professor Alex Jeffries, a British scientist, is due to undertake DNA tests on the corpse next month to match remains with the blood of Mengele's son, Rolf, praised Sents from all government agencies within 30 days.

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UN peace proposal divides Serbs

Belgrade: Amid signs of a split in Serb ranks accusations flew yesterday in the Serb-controlled enclaves of Croatia as supporters of Milan Babic, their leader and a hardline opponent of the UN peace plan for Yugoslavia, gathered in Knin, their capital (Tim Judah writes).

Deputies converged on the town for a session of the assembly of the self-proclaimed Republic of Serbian Krajina, called by Mr Babic, which had been intended to discuss putting the UN proposal to a referendum. But it was unclear yesterday how many deputies turned up as a rival assembly session on Sunday overwhelmingly approved the plan.

The Yugoslav government yesterday informed the UN that there remained no obstacles to the planned deployment of a 10,000-strong peacekeeping force, but Mr Babic called the rival assembly's decision "illegal and irrelevant". Mile Paspalj, speaker of the Krajina assembly which met in Glina, 140 miles north of Knin, said yesterday that since a decision had already been taken there was no need to go to Knin.

Neo-Nazi held

Vienna: Police have arrested Günther Reinhäler, a neo-Nazi leader, said to be close to another neo-Nazi, Gottfried Küsel, in a continuing drive against Austrian extremists. He is alleged to be in charge of young members' ideological training. (AP)

Rouble aid

Moscow: The Soviet Communist party used KGB couriers to send about £111 million abroad to communists in America, France, Israel and other countries in past decades, according to Yevgeni Lisov, Russia's first deputy prosecutor general. (AP)

Port of call

Glückseberg: Three German warships are to sail to Varna, Bulgaria, and deliver 30 tonnes of medical equipment. It will be the first time that German naval vessels have entered the Black Sea since the second world war, said the naval command said. (AP)

Danish blaze

Copenhagen: Fire teams fought a huge blaze in Proviantgaard, a centuries-old building in the government quarter, for seven hours before bringing it under control and saving the Danish parliament, library and national archives. (Reuters)

Hot lines

Rome: Train drivers and ticket collectors have received portable telephones to stem thefts on Italian railways. Carlo Bernini, the transport minister, told parliament: More than 4,000 people were charged with theft in the first six months of 1990. (Reuters)

Spy pardoned

Rome: President Cossiga told reporters that he pardoned a Soviet citizen who led a Soviet industrial espionage ring, smashed in 1990, and allowed him to leave Italy. He said that the ring was "one of the most important Soviet spy organisations". (Reuters)

Busmen strike

Prague: Bus drivers in western Czechoslovakia went on a 24-hour strike, disrupting services in more than 70 cities, in protest against cuts in state subsidies. More than 85 per cent of drivers joined the stoppage, which also hit inter-city lines. (Reuters)

Free wheeling

Paris: The French supreme appeal court ruled that a former secretary at a Renault dealer was unjustly sacked for replacing her Renault 5 with a Peugeot 405. The court said that she was free in her private life to purchase the goods of her choice. (AP)

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Sister Superior:

González vows to wield law against Eta apologists

AS THE Basque terrorist organisation, Eta, set off another car bomb in Spain yesterday, Felipe González, the Spanish prime minister, authorised unprecedentedly tough action against its sympathisers.

He said the terrorists were trying to disrupt Spain's "year of wonders", which includes the Seville Expo 92 — due to open in April — and the Olympic Games in Barcelona. He insisted that the Spanish authorities would ensure the events would take place "in an atmosphere of calm and security" despite "increasingly desperate" attempts by Eta to destabilise Spain.

Leopoldo Torres, the attorney-general, yesterday filed criminal charges against three leading members of Herri Batasuna, the radical Basque separatist party which is widely regarded as the political wing of Eta. One, Jon Idigoras, is a Spanish MP; the second, Floren Aoi, is a regional deputy in Navarre while the third, Adolfo Araiz, is on the national executive of Herri Batasuna. Señor Idigoras cannot be arrested until his parliamentary immunity is lifted.

A policeman was killed

In an interview with Richard Owen and Frank Smith, the Spanish prime minister says that Basque guerrillas and their supporters will fail in their attempts to spoil the 1992 festivities

yesterday when a car bomb exploded in the town of Murcia in southeastern Spain, after a telephone call from a man claiming that Eta had planted the bomb outside a civil guard barracks. It was the second such attack by Eta in the past five days. Last Thursday, five people, four of them members of the Spanish army, were blown up in central Madrid.

Since then there has been a growing campaign among opposition parties, including the Popular party led by José María Aznar, for a ban on Herri Batasuna, which acts as an apologist for Eta terrorism.

"1992 is an eventful year for us," Señor González said in an interview with *The Times*. "Despite the fact that the capabilities of the terrorists have been much reduced, they are still trying to

tarnish the image of Spain just as it is thrust into the international spotlight.

Cardinal Enrique Tarancón, a much respected figure in the Spanish Catholic church, recently declared that corruption was now more rife than it had been under Franco.

Señor González, angered by the accusation, yesterday dismissed the cardinal's remarks as "mistaken". Last month, one of Señor González' cabinet colleagues, Julian García Valverde, the former health minister, resigned after allegations of financial mismanagement during his time as chairman of the state railway.

Just over a year ago, Alfonso Guerra, the deputy prime minister, left the government after one of the most protracted political scandals in modern Spanish life, involving Señor Guerra's brother, who was alleged to have peddled political influence. But,

Señor González, "cases of corruption here are no greater than in any other democratic country".

As Expo '92 and the games approach, Señor González is under pressure to deal not only with terrorism but also with official corruption, which critics say



González determined to outflank terrorists in Spain's "year of wonders"

is that they have little chance of coming to power."

Now nearly 50, Señor González has been prime minister for ten years, and his Socialist party has dominated Spanish political life for the past decade. He has

become a dominant European figure, but has occasionally shown weariness with Spanish politics. His critics, including much of the Spanish press, maintain that he spends more time tending his remarkable collection of bonsai trees at the Moncloa complex, his well-guarded residence on the outskirts of Madrid, than in defending his policies to the Cortes, the Spanish parliament. Yesterday Señor González insisted that although the Cortes has

no equivalent of question time, "I put in more hours in parliament than any of my European colleagues, including the British prime minister".

The country's real problem was that the right-wing opposition was "incapable of forming a credible alternative". Señor González denied that he intended to call a general election this year (the poll is not due until 1993) to capitalise on Spain's "year of wonders". He said the Spanish economy, which has an annual growth rate of 2.5 per cent, would grow further next year, coinciding with the implementation of the European single market.

He was confident that Spain, often thought of as one of the poorer EC members, would meet the criteria agreed at Maastricht for economic and monetary convergence in the EC by 1997. But he insisted — with a grin — that he had no intention of abandoning Spanish politics to become president of the European Commission in succession to Jacques Delors.

"If asked, I would refuse," he said, even though this would no doubt surprise "many of my colleagues in Europe".

EC to review British rebate

FROM GEORGE BROCK IN BRUSSELS

TODAY'S launch of the European Commission's plans for the next five years may reopen the issue of Britain's special budget deal with Brussels which paralysed Community business for several years during the prime ministership of Margaret Thatcher.

The Commission will today decide its outline ideas for financing the new powers agreed in the Maastricht treaty and the 12 governments will then argue about the final figures until at least the end of the year. Tomorrow's plan will be followed by more detailed Commission reports — one of which will open the question of Britain's "rebate", which reduces its contribution to EC coffers.

Commission officials have been debating privately when to release the later report, which will re-open the arguments of the 1980s in which Mrs Thatcher successfully insisted on altering the Community budget system in Britain's favour. The new budget will make at least three countries — France, Denmark and Italy — net contributors. These governments may press for Britain's unique budget privilege to be removed and the subject could cause difficulties before the general election.

Brussels wants to raise its spending by about 30 per cent in five years. Jacques Delors, the Commission's president, will suggest that next year's budget of £47 billion grows by about £15 billion between now and 1997. Quayle talks, page 10



Delors: wants more spent on CAP reforms

PARIS NOTEBOOK by Philip Jacobson

Pulling strings is way of life

WHEN President Mitterrand's personal physician was nominated for a high and rewarding post in France's social security administration, the medical establishment nodded sagely and murmured the magic word *piston*. He may have been no more than a general practitioner, but proximity to power has its rewards when it comes to the ancient art of pulling strings.

Pistonage also paid off for a Parisian journalist whose cherished only son was called up to his military service in the wilds of eastern France. Through his wife, he knew a senior official in the defence ministry, a telephone call or two were made, a favour or two called in, and the young man was magically transferred to a regiment garrisoned on the outskirts of Paris.

So it goes with *pistonage*, and you will find precious few French ready to condemn outright what the magazine *L'Evenement du Jeudi* aptly defines as "putting a drop of oil on the cogs". After all, it exists — some would say thrives — at every level of French society.

According to a new book on *La France du Piston*, it is no longer considered bad form to raise the subject in

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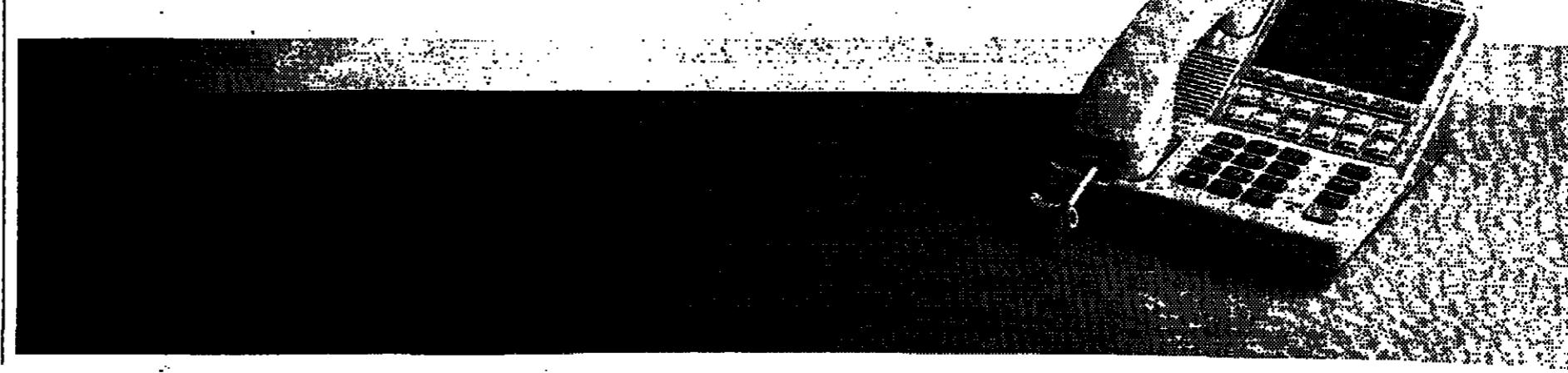
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4. Restrict certain phones to local calls, or lock your handset with a personal code and save 10p more per person per day. Or £6 a quarter. Multiply 6 by the number in your company.

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5. Message-taking, paging, and intercom functions can save 3 short calls per person per day. Another £18 per quarter. Multiply 18 by the number in your company.

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White House welcomes Quayle mission

UK poised to reject trade and Nato link

FROM PETER STOTHARD, US EDITOR, IN WASHINGTON

BUSH administration officials reacted with rare enthusiasm yesterday to the performance of the "Dan Quayle political all-stars" team playing in Europe at the weekend. While the rest of their countrymen focused on the disappointments of the winter Olympics, there was pleasure in the White House that the diplomatic vice-president, backed by some hard men from the US Senate, had played so tough a game against the Nato Europeans.

Mr Quayle, who flew into London last night, will hold talks today with John Major and Douglas Hurd, the foreign secretary, and both are likely to tell him that Britain, together with its European partners, strongly rejects any linkage between the Gatt trade talks and the American presence in Nato.

"Europe has to get the message," one senior adviser said in Washington. "There is an undercurrent of pressure here which could become a tidal wave. Either there is no American military presence or, if we are going to stay, we want the free trade and economic growth that will allow us to do so."

Trade was a security issue. Mr Quayle told the annual Munich conference on security policy, discarding his prepared speech and calling for an urgent completion of the Gatt round for reducing trade barriers. Mr Quayle, reflecting White House policy, said that America would not jump on the "isolationist bandwagon". Senator William Cohen, the influential Republican from Maine, was there to describe "the prevailing view that Nato is no longer necessary, relevant or affordable".

Senator Richard Lugar of Indiana, a staunch friend of Nato, spoke of how "the trends towards isolationism and protectionism are very strong". General John Galvin, Nato's commander, said that time was short if Europe wanted to show US primary voters that it wanted a visible American force.

"In the past, this good-cop/bad-cop tactic has failed," a senior State Department ne-

gotiator admitted yesterday. "The Europeans have always seen it as election-year bluff." But today Washington hopes that the message will get through. "This is uncharted territory and we cannot predict what the result will be."

The "trade is security" threat is not an easy game for America to play. The general "America first" message is loudly sounded and accepted this year. It is claimed by left and right, conservative Democrats such as the Virginia governor, Douglas Wilder, old-fashioned liberals such as Senator Tom Harkin of Iowa, and right-

Americans want to put their country first. But they are not convinced that shutting the door to other country's products is the way to achieve that aim. Mr Buchanan has found that the "protectionist" label is a lead weight around his neck. He now calls himself an "economic hawk", a phrase suggesting attacks on other people's markets rather than defence of one's own.

The free-market campaign of Paul Tsongas has now brought the previously obscure former senator from Massachusetts to the brink of a New Hampshire victory.

The administration is getting increasingly angry that its determination to achieve freer markets, most importantly through the Gatt round, is meeting so little response in Europe. Officials feel cheated by German half-promises made at the time of unification that agricultural subsidies within the EC would be reduced.

American troops in Europe are the ones lever which Washington has. The White House hopes that, by describing the pressures to withdraw them completely and its own determination to withstand the pressure, it can make progress where progress has been so hard to make in the past.

Further troop withdrawals from Europe are also almost universally popular. The current White House plan is for 150,000 troops to remain in Europe, but there is little support for that figure in Congress and little expectation in the Pentagon that it will be maintained. When senators describe the trend of support for halving that number, they are telling the truth.

Opposition to the foreign aid budget can also be guaranteed to win applause at the hustings. When money is short, everyone wants it in his pocket.

In itself that says little. Few voters anywhere would reject a notion that their country be put before others, particularly when a recession is strong and a long-time foreign adversary has just lain down and died.

During his London talks, Mr Quayle is also likely to report on his visit to the Baltic states, and will tell Mr Major about his meeting with Helmut Kohl, the German chancellor.

The attempt to station UN troops in Yugoslavia will be a main topic. Mr Major and Mr Quayle will probably also look at their countries' next moves in trying to force Libya to hand over the two men named as responsible for the bombing of the Pan Am plane over Lockerbie.

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Islam
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Burmese troops close in on rebel compounds

Karens defy junta call to surrender

FROM NEIL KELLY IN MANERPLAW, BURMA

SIX miles to the west of the Salween river, 2,500 Karen guerrillas are blocking the advance of 7,000 Burmese troops on Manerplaw, where the pro-democracy rebels have had their headquarters for nearly 20 years. The Burmese have never come so close before. Burma's alternative government set up by elected politicians driven into the jungle by the Rangoon junta is also based here.

Military leaders are telling the people on television and radio that the new offensive which they call Operation Dragon King is the final step towards smashing the Karen rebellion. Fearing air attacks some civilian families have left Manerplaw but morale is high among those still here. They are confident of holding on at least for another year.

Burmese offensives are an annual event in this area but this time they are using many more troops. The armed forces have almost doubled their manpower in the past four years. They have bought heavy weapons costing more than £588 million from China. The Karens say they have seen Chinese officers advising the Burmese at artillery bases near Manerplaw.

Despite those advantages the Burmese have had to abandon their original plan for crossing the Salween and have been unable to capture Sleeping Dog Peak, the top of a huge ridge towering above the river. From there they could bombard Manerplaw.

The Karens have surrounded a Burmese company of about 100 men below the ridge and are inflicting heavy casualties. General Bo Mya, the Karens' elected leader, said they had killed more than 130 soldiers in the past five weeks and wounded about 600. Karen casualties were 20 killed and 75 wounded. Thai intelligence sources



are unable to confirm those numbers but say Burmese casualties have been heavy. General Bo Mya said all democratic forces in Burma now supported the Karen rebels. "We will hold Manerplaw," he said. "We are struggling for freedom so it is our duty to defend our headquarters." The Karens who have been fighting for more than 40 years to maintain their own state, language and culture are willing to negotiate and to be part of a Burmese federation but Rangoon's military leaders demand surrender.

Karen leaders say the attitude of Thailand will be crucial to the outcome of the battle for Manerplaw. If Burmese forces were to cross into Thailand to attack from that side Manerplaw which is protected on its other flanks by rivers and mountains would probably be doomed.

The Thais have just strengthened their border forces and Burmese soldiers stopped building a bridge across the Moei river marking the border with Thailand after Bangkok threatened to use force if work continues.

Operation Dragon King has been marked by some of the worst atrocities committed by the Burmese junta. Many of the 15,000-20,000 men and women rounded up to carry ammunition and other supplies for the army have died in the past two months from exhaustion, ill-treatment and disease.

Delhi press has a royal gush

BY CHRISTOPHER THOMAS

MORE than four decades has passed since a statue of King George V was removed from its prime spot at the end of the broad sweep of Rajpath in British-built New Delhi and deposited in a graveyard for sculpture in the farthest northern suburbs, there to grow green with mould in a small park along with Queen Victoria and a large collection of other Raj images.

India chose not to smash them up, and to this day a couple of desultory chowkidars lounge around on

gust 1947. This tolerance, blending with an abiding curiosity about the Raj, explains the phenomenal gushing in the Indian English-language press over this week's visit by the Prince and Princess of Wales.

On their arrival yesterday, the royal couple was driven swiftly to the presidential palace, Rashtrapati Bhawan, the home of the last viceroys of India, where they were greeted by Shankar Dayal Sharma, the vice-president, who is their host during their official six-day tour. They later laid wreaths at the Raj Ghat, where Mahatma Gandhi was cremated after his assassination in 1948. At a banquet at the former palace of the Nawab of Hyderabad, now converted into a government guest house, the vice-president said Britain had traditionally been one of the biggest investors in India.

The prince is taken very seriously in India. *The Times of India* set the ball rolling with a long article on Sunday, filed from London, accompanied by a friendly cartoon. The paper also published an official photograph of the couple. The English-language press is inclined to be positive about the visit; there is even a sense that the prince, with his talk of the soul and the cosmos, is at home in the East.

The Times of India reckoned that there was no place more appropriate for the prince. "India is relevant to his campaign for creating awareness about contemporary concerns in the areas of education, health, housing, transport, town planning, ecology, and economic justice," L. K. Sharma, its London correspondent, said. "The Indian experience is to be part of his ceaseless exploration. His connection with India is also linked through the memory of Lord Mountbatten ... a major influence in young Charles's life."

India retains much more of the British flavour than Pakistan. The princess barely got a mention in the press when she visited Pakistan a few months ago, except when there was a controversy over the clothes she wore in a mosque. But then, India feels the past more keenly.

One of the enigmas of India is its lack of rancour over British rule. In Calcutta, Bombay, and Madras, there are still statues aplenty from British times, exactly where they were left in Au-

Barefoot homage: the princess at the wreath-laying for Mahatma Gandhi

charpays brewing chai and shooting away potential vandals. At night they lock the tall gates of a walled and fenced compound to protect the cracked and stained reliefs. It is an odd ritual; it shows that the past is not entirely despised.

One of the enigmas of India is its lack of rancour over British rule. In Calcutta, Bombay, and Madras, there are still statues aplenty from British times, exactly where they were left in Au-

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PEOPLE

Hammer to fall on 'bodyline' diaries

FROM CHRISTOPHER THOMAS
IN MUZAFFARABAD

PAKISTAN brought in the army, paramilitary forces, police and bulldozers yesterday in response to an unprecedented challenge to its authority on its side of Kashmir. It used dynamite to block roads, halted busloads of people, and reinforced the border with India on the eve of a planned suicide march today by separatist leaders.

The moves were matched by India, which laid mines along the frontier on the route of the march.

Islamabad's backing for the anti-Indian uprising in the Kashmir valley is clearly starting to spill over to so-called "Azad" (free) Kashmir on the Pakistan side. This was evident in the small city of Muzaffarabad last night when 5,000 chanting Pakistani Kashmiris, some with Kalashnikovs, called for a re-united Kashmir independent of Pakistan and India. The rally, the first of its kind in Pakistan, was organised by the Jammu and Kashmir Liberation Front, which launched the secessionist movement on the Indian side of Kashmir three years ago.

THE late Sir George "Gubby" Allen's cricketing collection, including letters, photographs and diaries relating to the infamous "bodyline" Test series, is to be auctioned next month.

Allen was one of England's battery of fast-bowlers on the 1932-3 tour but was reluctant to bowl to the hostile "leg theory" ordered by captain Douglas Jardine. Among the items up for sale are 24 letters written to his parents during the tour, in which he talks of friction with Jardine. "Douglas changes his mind every five minutes. He is difficult and whines away if he doesn't get everything he wants."

Much of the collection relates to Allen's six years as chairman of selectors, including Len Hutton's letter announcing his retirement, and a gold wristwatch inscribed "England versus Australia, Lord's 1930, from Board of Control." The auction takes place in Newbury.

Barry Goldwater, aged 83, the conservative Republican beaten by Lyndon Johnson in the 1964 American presidential election, has married Susan Shaffer Wechsler, aged 51, the manager of a

home nursing service, in a private ceremony at her home in Scottsdale, Arizona.

The rock 'n' roll star Jerry Lee Lewis says he will give up one-night shows and start a new club named after him in Memphis, his home base. "I am tired of toting that load all by myself," he says.

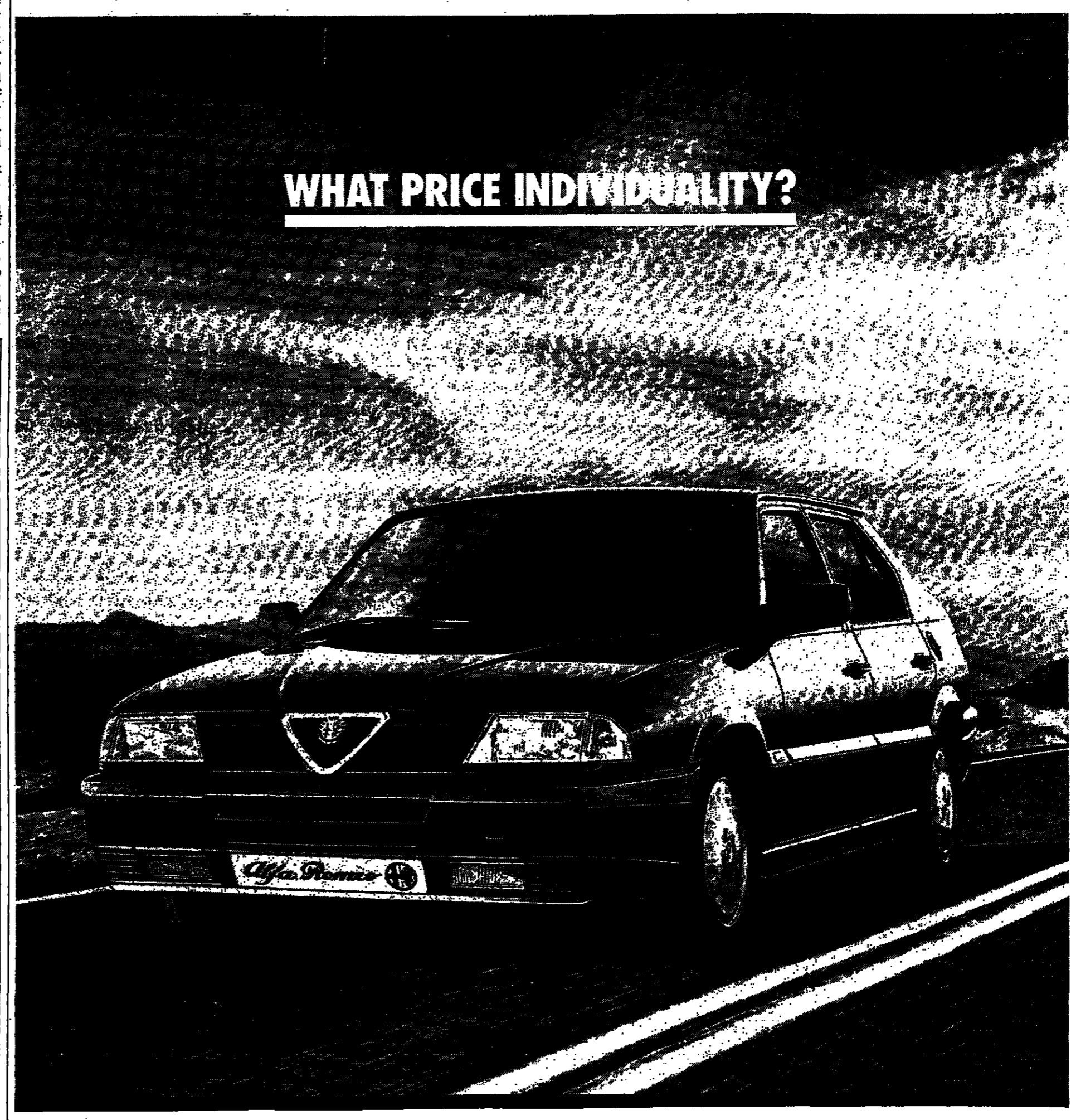
Michael Jackson's white sequined glove sold for \$1,000 (£550) during an auction of Jackson family belongings seized from a storage locker for non-payment of storage costs.

John Major has told a disraught ten-year-old Arsenal fan that he cannot order a replay after Wrexham knocked the Gunners out of the FA Cup. Mr Major told Dean Wyatt that "sometimes the little guys have to beat the big boys."

The Queen is increasing admission charges for tourists to Sandringham House and grounds by 30p. Adults will now have to pay £2.50, pensioners £2 and children £1.50.



Caught in conflict: a Burmese porter taking shelter in a tent after fleeing to a Karen camp



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PAYING THE MARKET WAY

For politicians rather than markets to decide pay is wrong. It creates political temptations which no government can resist in election year. Nobody should be surprised that the government is giving pay rises above the inflation rate to nurses, doctors, teachers and the armed services, implementing in full and immediately the advice of the relevant pay review bodies. These are electorally popular groups. Nor should it be a surprise that a decision on top salaries for the less popular group of judges, senior civil servants and senior military staff is being put off until after the election, at the request of the review body's chairman.

This is naked electioneering, but is it more than that? A case can always be made for each of the individual pay awards. Yesterday saw the first report of the school teachers' pay-review body which proposes an average rise of 7.5 per cent, higher than for the other groups. John Major can be seen as fulfilling his promise of encouraging the recruitment and retention of teachers and making education a top priority. In other cases, while the pay awards are well above the inflation rate, they are the lowest for nurses since 1983, and the lowest for doctors, dentists and the armed services since 1979.

In principle, it is reasonable that over time the pay of public sector workers should keep up with the inflation rate. But the whole paraphernalia of pay review bodies has an in-built bias in favour of rises clearly above the rate of inflation. Unlike the private sector, where the pay of specific groups at times increases by well below the average or is even frozen, the pay review bodies create a ratchet where public-sector pay increases steadily each year almost regardless of what is happening to government finances. While comparability studies have been broadened from looking just at the rewards for apparently similar jobs in the private sector, they reflect an underlying mentality of the "going-rate" pay rise. This is no substitute for the discipline of the market place, and must undermine sound resource management and a concern for productivity in the public sector.

EC'S AWKWARD NEIGHBOUR

The Algerian military government's declaration of a state of emergency and its banning of the Islamic Salvation Front (FIS) is an understandable reaction to weeks of bloodshed. More than 40 people were killed and over 300 wounded at the weekend after FIS activists defied orders aimed at preventing imams abusing the freedom of religion to call for an Islamic uprising. The government, with the approval of the press, the Westernised middle class and Algeria's nervous neighbours, assumed powers to set up detention centres, order house searches, ban marches, close public places, dissolve local authorities and order trial by military courts. They, and their European military allies across the Mediterranean, may regret such draconian measures.

Inevitably the fundamentalists will now become more radical. Already they are playing on the frustration of supporters who saw electoral victory snatched from them; now they will add persecution and martyrdom to their appeal. The party will be forced underground, and may resort to terrorism. From the sanctuaries of their mosques, the shadowy FIS leaders who evade arrest will preach an increasingly obscurantist, anti-Western and anti-democratic message. They will portray the crack-down as an attack on Islam and try to imbue the young and the poor, who voted for the FIS not out of religious conviction but in protest at corruption and economic stagnation, with the zeal of religious fanaticism.

The West has enormous interest in stability in Algeria. Its population, now at 25 million, is one of the fastest growing in Africa, and as more and more young people come on to the stagnant job market, the pressure grows to emigrate north. Already the four million north Africans in France are causing huge social tensions that nourish a rejuvenated far right. Spain and Italy, with

The Treasury sets cash limits on the running and operating costs of public programmes separately from the pay review decisions. In theory, and partly in practice, that is a spur to efficiency. But for programmes where pay is a high proportion of the total budget, the result is that, since pay awards are conceded to the unions as sacrosanct, other areas of expenditure such as investment are reduced. This year, to avoid charges of cutting back patient care or school equipment ahead of the election, the Treasury is providing an extra £209 million. The Treasury is unlikely to be as generous next year.

The answer is as old as Thatcherism: to decentralise the setting of pay to those with direct responsibility for budgets. Instead of national comparability studies, local managers, whether in hospital trusts or grant-maintained schools, should set pay to achieve a balance between labour-market conditions in their areas and their own resources. That was the corollary of the executive agencies proposed for Whitehall under the Next Steps initiative. So far, little but rhetoric has been heard of this, largely because civil service managers with no experience of the private sector are petrified of the civil service unions.

The pay review bodies are themselves unswervingly union pressure on civil service managers. The first report from the school teachers' body under Sir Graham Day shows some fresh thinking to improve recruitment and retention. It suggests an increase both in incentive allowances, especially in primary schools, and in their value. This is a prelude to the development of "proposals for a performance-related pay scheme which rewards teachers at schools that can demonstrate measurable improvements in their performance." This pious reformism has been coming from such bodies for years. It means decisive ministerial action to force senior civil servants to confront their unions in order to alter terms and conditions of service. There will be no such action in an election year. Treasury-led cost-push inflation will thus continue unabated.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 071-782 5000

Returning from grant-maintained to grammar schools

From Sir Rhodes Boyson, MP for Brent North (Conservative) and Mr Robert J. Dunn, MP for Darsford (Conservative)

Sir, We were dismayed by your leading article of February 4 attacking Kenneth Clarke's statement that he did not mind one in ten grant-maintained schools becoming grammar schools again.

There are two simple requirements for the improvement of British education: firm class teaching of the basics in the primary school, and the introduction of a variety of secondary schools catering for the different interests of adolescent pupils.

The comprehensive schools have not, despite the dedication of very many of their teachers and the notable successes of certain schools, created an educated work and leisure force equal to that of our industrial competitors, with their wider variety of secondary schools. Twice as many young people per head of population go on to university in Germany, and twice as many per head of population complete craft and technical apprenticeships there.

What Britain needs is not the continuance of a blanket comprehensive secondary school system, as implied in your leading article, but a wide variety of secondary schools appealing to the varied interests of pupils. Japan, Russia and Sweden, despite their different economic systems, all have a third of their children in technical secondary schools.

We in Britain, are a city-and-brown town people and we should introduce a rich variety of science, technical, language, craft, mathematical, commercial, trade, and even sports and classical schools, all of which cover the basic curriculum but all of which also have one or two hours of extra tuition every day within their specialist areas. This is economical of scarce specialist staff and makes teaching easier by dint of subject interest.

We have the honour to remain, Sir, your obedient servants,
RHODES BOYSON,
ROBERT J. DUNN,
House of Commons.
February 6.

From the County Education Officer, Hereford and Worcester County Council

Sir, Very early in my career in education administration I ran the 11-plus selection procedures in a northern education authority, and because of that experience I write to applaud your leader. We are deluded if we think that a return to the 11-plus is the way to improve the

Aircraft safety

From Mr James Vant

Sir, It is six and a half years since the aircraft accident at Manchester, where 55 persons on board lost their lives due to the effects of smoke and toxic fumes. The Parliamentary Advisory Council for Transport Safety (Pacts) welcomes any measure that is likely to improve aircraft survivability and believes that the combination of smoke hoods and water-spray systems may provide a complementary basis for survival in aviation accidents involving fire.

Regrettably, we are less optimistic than the Civil Aviation Authority about the possibility of early international agreement on a water-spray system as reported in your edition of February 2. Furthermore, we believe that the case for water-spray systems to deal effectively with all the scenarios of life-threatening smoke and toxic fumes has yet to be made.

Princess's car

From Ms Hazel O'Leary

Sir, The Princess of Wales should be congratulated for exercising her free choice in a free market and buying a car which she prefers (report, February 5).

Buying a British car when a foreign car is preferred is not patriotic; it will not encourage the British motor industry to improve its efficiency and quality of design and amounts to a form of protectionism.

It was protection from foreign competition in the decades after the war that destroyed the British motorcycle industry. When, finally, it had to face foreign competition it simply could not cope. No patriot could wish

Council spending

From Councillor Richard T. Barber

Sir, It is incorrect for the Liberal Democrat leader of Sutton Council to blame the government for his borough's problems (letter, February 3). The council are free to set their own spending priorities. Their proposed cuts in education and social services arise because they wish to spend money in areas such as leisure provision.

A classic example is their recent building of a new theatre in the borough at a cost of £3.5 million. The interest charges on the borrowing together with the operating loss will be approaching £600,000 a year. A recent performance at the theatre attracted an audience of just four people.

Sutton's council leader complains that his borough's government grant is one of the lowest in London. This is because Sutton is still a comparatively prosperous area. It is not afflicted with the poor housing and social problems of London boroughs such as Liberal-controlled Tower

performance of the maintained system of education.

I am appalled at the prospect of a return to the days when so much ability was wasted, so many able children branded as failures and untold distress caused in so many families. To do so would be a mistake and the result potentially much more damaging now than it was then. In those days, it might be said that we knew better; now we have no such excuse.

Yours faithfully,
J. W. TURNBULL,
County Education Officer,
Hereford and Worcester
County Council,
Castle Street, Worcester.

From Mr Stuart Sexton

Sir, When you pontificate on education, as you do today, it is as if you had stopped thinking in 1965, ignoring the mistakes of the 1960s and 70s, and the long haul of reform of the 80s.

The three-tier structure of education (grammar-modern-technical) was not widely regarded as a mistake; the comprehensive experiment was introduced not on educational grounds, but for reasons of egalitarian dogma. Before losing the three-tier system, however, we successfully exported it to post-war Germany, where it lives on, thrives and gives Germany an excellent secondary school system.

Opted-out schools are not "in effect central government schools". On the contrary, they are self-managed schools, a highly effective de-centralising measure.

We do not need Mr Clarke to "introduce" selective schools. We simply want the people that really do matter, parents and their children, to be able to select from a diversity of schools the type of school which in their judgment is best suited for their children. And if they choose a grammar school for an academically able child, they could even be right; but it will be their judgment, not mine, not yours.

Yours faithfully,
STUART SEXTON,
(Director, Education Unit,
Independent Primary and
Secondary Education Trust),
Waringham Park School,
Chesham Common,
Waringham, Surrey.
February 4.

From Mrs S. Flynn

Sir, Your kneejerk reaction to Mr Clarke's assertion that he would not object to one in ten grant-maintained schools applying for grammar

Pacts believes that the mandatory provision of smoke hoods remains the best chance in the near future of providing passengers with protection against smoke and toxic fumes. An international specification, to which the Civil Aviation Authority were party, has been established. This provides for a maximum donning time which, when met, eliminates any doubt about possible delays in evacuation by use of such equipment.

Yours faithfully,
JAMES VANT (Chairman,
Aviation Safety Working Party,
Parliamentary Advisory Council
for Transport Safety,
St Thomas' Hospital,
Lambeth Palace Road, SE1).

From the Director General of the British Safety Council

Sir, Notwithstanding the easy-option recommendations after the Manchester air disaster to have £20

the same fate on the British motor car industry.

Yours faithfully,
HAZEL O'LEARY,
31 South Audley Street, W1.

From Mr Conrad Goulen

Sir, The royal household has recently been the subject of considerable hostile scrutiny in the press with regard to the cost of maintaining the seemingly anachronistic structure. It is surely a matter of concern, therefore, that a palace spokesman can only come up with the famous comment that spending £72,000 on a car is fully explained, since it is only to be used "as a personal runabout".

Yours faithfully,
CONRAD GOULDEN,
12 Eglington Road, Putney, SW15.

Hammers which receives over three and a half times as much government grant as Sutton.

Less than 40 per cent of Sutton's spending is raised by community charge payers. Therefore the Liberal Democrats are spared the electoral pain of having to raise the bulk of their expenditure. In these circumstances it is all too easy for them to blame the government when the council's ambitious spending plans run ahead of their available resources.

Yours faithfully,
R. T. BARBER,
(Deputy leader, Conservative group,
Sutton Council),
9 Onslow Avenue, Cheam, Surrey.
February 6.

From Councillor Paul Clokie

Sir, The leader of Sutton Council sought to compare the government grant and expenditure positions of

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OBITUARIES

ALEX HALEY

Alex Palmer Haley, the black American author of *Roots*, which became world-acclaimed television production, died suddenly at a Seattle hospital on February 10 aged 70. He was born in Ithaca, New York, on August 11, 1921.

FAME came late to Alex Haley. He was 55 years old when *Roots: The Saga of an American Family* was published in 1976 and he became, overnight, the literary champion of his race. No other African-American had ever attempted to trace back his family history from its tribal origins, through the horrors of the slave trade, and on to achieving something approaching equality in the world of the white man. Though some contemporary critics condemned it as a mere novel, and Haley himself admitted that many episodes were fictionalised for dramatic effect, the impact of *Roots* was tremendous. It won the 1977 Pulitzer prize and an estimated 130 million people saw the initial showing of the 12-hour television version in 1977. Many millions more have seen it since.

The origins of the book were almost accidental. Haley, who left school at the age of 15, had begun writing while serving as a cook in the US Coast Guard during the second world war. At first his literary efforts were confined to writing love letters on behalf of his illiterate mess-mates but he soon turned to writing short stories. It took eight years and several hundred rejections before his first story was published. The coast guard, seemingly impressed, created a new post especially for him: Haley became the service's chief (and only) journalist.

In 1959 Haley retired from the coast guard to become a full-time writer. He was a skimp existence until, in 1962, he recorded a conversation with the jazz trumpeter Miles Davis and turned it into the first of the *Playboy* interviews. Regular commissions followed and an interview with Malcolm X, radical spokesman of "the Nation of Islam", so impressed a publisher that Haley was asked to turn it into a book. As a literary "ghost," Haley



was an instant success. The *Autobiography of Malcolm X*, published in 1965, sold six million copies in eight languages. Wrote one critic: "You can hear and feel Malcolm in this book; it is a superb job of transcription. Its dead-level honesty, its passion, its exalted purpose, even its manifold unsolved ambiguities, make it stand as a monument to the most painful of truths: that this country, this people, this Western world, has practised unspeakable cruelty against a race, an individual, who might have made its fraudulent

humanism a reality." The purported author never lived to read it. Malcolm X was assassinated two weeks after the manuscript was finished.

But Haley was on his way. He signed a contract with Doubleday & Co to write a book about the American South before the 1954 supreme court decision declaring school segregation unconstitutional. It was never written, because while in London on another writing assignment Haley visited the British Museum and saw the Rosetta Stone. It was the beginning of his long jour-

ney to *Roots*. As a child Haley had heard strange words of an African language passed down through his family from their slave forebears. Now he mused that if, like the strange hieroglyphics on the Rosetta Stone, those sounds could be properly deciphered, they, too, might unlock a buried past. On impulse, when he returned to the US he went to the National Archives in Washington and asked to see the census records of Alameda County, North Carolina, for the years following the Civil War. In these he found the names of several ancestors and the hunt was on.

For twelve years, supported by piecemeal advances from his long-suffering publishers and *Readers Digest*, Haley became obsessed with tracing his maternal bloodline back through seven generations in the United States and several more in a village on the banks of the Gambia River in West Africa.

With the help of a linguist at the University of Wisconsin Haley succeeded in identifying the African words he had heard used by his family as being in the Manding dialect of Gambia. He spent \$80,000 and travelled half a million miles in his quest, eventually tracking down the key figure of "Kunta Kinte", who had been kidnapped in Gambia and sold into slavery in 1767.

Haley had been lucky. In the Gambian village of Jufure he found a tribal historian who chanted for him the history of the Kinte tribe from its earliest origins in old Mali, and told of his kidnapping "when the King's soldiers came." Kunta Kinte, Haley was convinced, was the same man as his ancestor, known as "Kintay," who was brought as a slave to Annapolis, Maryland.

Through Lloyds of London he set out to identify the actual event, and discovered that the slave ship *Lord Ligonier*, captained by Thomas E. Davies, had sailed with captives from The Gambia on July 5, 1767. Documents in the Library of Congress confirmed that the *Lord Ligonier* had discharged her cargo of slaves in Annapolis on September 29 of that year. On September 29, 1967, exactly 200 years later, Alex Haley stood on an Annapolis pier

and wept. It took another seven years to put the book together. Haley was nothing if not scrupulous in his research. He visited more than 50 libraries and archives on three continents before settling down to the formidable task of converting his vast trove of material into a readable narrative. At one point, to gain authenticity, he booked passage on a freighter sailing from West Africa to the US and spent each night down in the hold. There, stripped to his underwear on a rough board between bales of raw rubber, he tried to imagine what it was like "to lie there in chains, in filth, hearing the cries of 139 other men screaming, babbling, praying and dying around you."

Some critics were dismissive of the "factional" style of *Roots* and others disputed its factual accuracy. After an article in *The Sunday Times* questioned the work's fundamental findings, Haley came to London to defend what he described as his "symbolic history." He admitted that when dealing with oral evidence lacking any written records as in Gambia, he could not be positive about every detail. But he said, he had spent years researching the book and everything in it stood up to scrutiny. *Roots*, he said, should be contrasted with the "tazzan and Jane" image of Africa that he claimed had been the American cultural approach for generations.

Roots proved to be Haley's last work of significance. After it he wrote a novella, *A Different Kind of Christmas*, which told the story of Fletcher Randall, a wealthy Southern plantation owner who undergoes a moral conversion and joins the underground railroad network that helped free slaves. This work made little impact, however, and with 500 American colleges building courses around the *Roots* book, Haley discovered a talent as a public speaker and found himself in huge demand on campuses across the country.

He became a familiar figure on the US speaking circuit, and was fulfilling a engagement on the West Coast when he was suddenly taken to hospital on Sunday night.

APPRECIATIONS

Sir Edward Rayne

EVEN in the fashion industry, where personal eccentricities are encouraged, Edward Rayne (obituary, February 10) was seen as a larger-than-life character, with his endearingly poly-poly silhouette and dapper style of dress. The immaculate spats he always wore to Ascot, and his brown trilby with a distinctive curl to his brim — combined with a Runyonesque turn of phrase — "easy peasy", "making a buck" — added a theatrical raffishness to his role as chairman of the British Fashion Council from 1985 to 1990, and his earlier career as a retailing tycoon. While giving the impression that at any moment he might break into a song and dance routine, this Nicely-Nicely Johnson character with a permanent smile, pebble-lensed spectacles and self-deprecating humour, was an effective and dedicated ambassador for the British fashion industry over three decades.

As chairman of the Incorporated Society of London Fashion Designers from 1960, and a member of the Export Council for Europe, he pioneered the industry's export drive, particularly in the US, and attempted to provide British fashion with the commercial clout that its

designers so singularly lacked. When American buyers continued to bypass British talent on their way to Paris to place their orders, he chartered a plane and went to fetch them himself. "That did the trick," he said.

He was proud of Rayne's Old Bond Street flagship shop with its Oliver Messel



decor and his company's Royal Warrants as shoemakers to the Queen Mother and to the Queen. The satin sandals worn by the Queen on her wedding day are still part of the Rayne archives. And he enjoyed the company's nickname as cobblers to the Queen. Norman Hartnell, another royal warrant holder, signed his Christmas cards to Eddie Rayne, "to the cobbler from the little woman round the corner".

Liz Smith

end could justify the means at decisive moments in history, were horrified by the massacre at Deir Yassin and the hanging of the British sergeants.

Louis Heren

WE SHOULD always be charitable to the dead, but Eitan Livni (obituary, February 5) was not a leader of a militant Jewish independence movement. The Irgun Zvai Leumi was a terrorist organization, and a particularly nasty one. Even its defenders, who argued that the

Eitan Livni

THE capture of Eitan Livni by the 6th Airborne Division occurred on April 2, 1948, not 1944 as stated in the obituary.

JEAN HAMBURGER

Professor Jean Hamburger, "father of world nephrology", died in Paris on February 1 aged 82. He was born there on July 15, 1909.

JEAN Hamburger died in the very hospital where for more than quarter of a century he had carried out his pioneering work on kidney transplants, immunology and reanimation. He was at the nephrology clinic which he founded in the capital's Necker Hospital in the early 1950s that Hamburger and his team developed the first French artificial kidney, carried out a family kidney transplant (transplanting the kidney of a mother into her son in 1953) which suggested such a relationship could help the grafted kidney's survival, and performed Europe's first successful kidney transplant between non-identical twins (in 1959) just a few weeks after the same kind of operation had been carried out by John Merrill in Boston. Hamburger thus just missed

In November of that year the Leinsters attended their first and last state opening of Parliament and on the following day sailed to New York on the liner *Queen Elizabeth 2* to raise money for a new charity, the All Ireland Distress Fund, for victims of terrorism. Predictably, however, they encountered hostility from American groups in sympathy with the IRA and the tour was abruptly curtailed.

Back in Britain bitter family divisions arose over a Leinster trust fund of which the Duke and Duchess were beneficiaries, but from which neither was receiving an income. The dispute escalated and on March 8, 1976, amidst considerable publicity, the 83-year-old Duke killed himself in a Primrose bedsheet with a massive overdose of nembutal sleeping tablets.

His distraught widow gave evidence at the inquest, after which her stepson Gerald, the 8th Duke, provided her with a small apartment in Sloane Avenue Mansions, Chelsea. The Dowager Duchess went to work for Help the Aged, opening several of their charity shops, and in 1978 took a post at the Royal Marsden Hospital, Chelsea, dropping her title and calling herself simply Mrs Vivien Fitzgerald.

She took up painting with impressive results and in 1987 moved to a seafront flat in Brighton to rejoin her first husband, George Conner. But Brighton was also the town where she had married the Duke, to whose memory her devotion never faltered. She is survived by her only son, Tony Conner.

FEB 11 ON THIS DAY 1935

Macmillan's Aeroplane

The power output of British aircraft engines increased greatly in the 1930s and 1940s, due mainly to the development of higher octane fuels but the scene was changed with the coming of the jet aircraft which required kerosene.

HIGH POWER AERO ENGINES

The power output of British aero-engines has risen during the last year by about 25 per cent without any corresponding increase in weight or size. The improvement is explained by the adoption of fuel of a higher "knock" rating, but this change was preceded by development work to meet heat trouble. There are signs now that suggest still further advance may be made for fuel of yet higher "knock" rating to be used in this country. If that hope should be realized, the petrol engine will have returned a remarkable challenge to the threat of the heavy-oil engine.

The trend of advance towards high output may be discovered in the course of a visit to the works of the Bristol Aeroplane Company. The Jupiter engine, which, during a period of eight years, went forward from a yield of 13.8 h.p. for every litre to 20.9 h.p. for the same volume, is now being superseded by the Pegasus which gives 32 h.p. for every litre. The engine is the same in general design and volume; it has a higher rate of revolutions. Its materials have been improved in respect of strength and fitness for large-scale production. With the rise in output has gone a great improvement in the ratio of weight to power, and largely in petrol consumption. The weight of the latest Pegasus represents only 0.08lb. for every h.p.

Mr. A. H. R. Fedden, who has been responsible for this

advance at Bristol, prophesied the ultimate doubling of output for a given displacement when the Pegasus first came into service. Fully half that prophecy has been realized and there is no reason to suppose that the limit has been reached even with the fuel now available. On that point the engine designer is not prepared yet to commit himself, but on the allied subject of raising power with the help of fuel of a higher rating he is certain that something like a further 25 per cent of power might be obtained.

That is to say that the radial engine rated at something like 1,000 h.p. and consuming only about 0.4lb. of fuel every h.p.-hour might be expected.

The point of uncertainty which at present affects this prospect is that of the supply of the higher octane fuel. The present fuel of the R.A.F. is described by the octane number 87. Fuel with an octane rating of about 100 would have to be adopted to allow the full increase of which the modern engine is capable, and it is not certain yet that a steady supply of the requisite "dope" could be assured in time of emergency. All these estimates are concerned at the moment with the orthodox engine fitted with poppet valves. Another important advance is promised by the sleeve-valve engine, which will probably not go into production before next year. This gives a marked economy in fuel and oil, and seems even better able to transfer heat to the cooling surfaces than does the ordinary engine.

A year has already been spent in trying to find a weak spot in the new engine. This year Imperial Airways is to try four of the kind in regular service. If its promise is fulfilled, the march towards higher output and fuel economy will have been advanced a step further. At the moment the air-cooled engine holds the advantage. The fastest aero-plane in the R.A.F. uses a Bristol Mercury. It is about to be challenged by new, high-powered engines of the water-cooled type.

THE DOWAGER DUCHESS OF LEINSTER



who committed suicide soon after their divorce; second, Rafaelle Kennedy, an American beauty from Brooklyn, and third, the musical comedy star, Denise Orme, formerly Lady Churston, who in 1956 was living apart from the Duke at Woburn Abbey, the home of her son-in-law, the Duke of Bedford.

The third Duchess died in 1960. After obtaining a divorce from her husband Vivien Conner became the Duke's fourth wife at a secret, early morning ceremony at Brighton Register office on May 12, 1965.

Soon afterwards, they opened a fashion boutique, called La Duchess in the Brighton Lanes but this like many of the Duke's business ventures over the years, proved a commercial failure. Vivien Leinster showed great resourcefulness

in unravelling the Duke's 28-year-old third bankruptcy. The registrar who heard the case commented that "most of the creditors must be with the angels", but with great determination the Duchess obtained her husband's discharge, enabling him to take his seat belatedly in the House of Lords in 1975 after 53 years as a duke.

In November of that year the Leinsters attended their first and last state opening of Parliament and on the following day sailed to New York on the liner *Queen Elizabeth 2* to raise money for a new charity, the All Ireland Distress Fund, for victims of terrorism. Predictably, however, they encountered hostility from American groups in sympathy with the IRA and the tour was abruptly curtailed.

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Continued his research there until his death, though he was officially retired. His latest findings will be published posthumously.

Among his many awards, Stommel received the National Medal of Science in 1989. He was given honorary doctorates by Yale, Chicago, and Gothenburg universities, and was a foreign member of the Royal Society, besides being a member of the National Academy of Sciences and of the Soviet Academy of Sciences. His books were both popular and scientific, including notably *Volcano Weather: The Year Without a Summer*, which was co-authored with his wife, and published in 1983. It chronicled the world-wide effects of a volcanic eruption in 1816.

Henry Stommel is survived by his wife, Elizabeth, two sons and one daughter.

feed the south-flowing current, while it rises in the Antarctic to supply a northward flow along the entire eastern coast of the United States. Though it was pure theory at the time, the idea aroused world-wide interest and subsequent experiments have proved it to be largely correct. Stommel himself made numerous voyages on research vessels to verify the accuracy of his findings.

Stommel's introduction to oceanography was almost accidental. He had graduated from Yale with a bachelor of science degree in 1942, and had begun to take a graduate class in astronomy just before the advent of Pearl Harbor. "I was finding the mathematics beyond my understanding," he wrote in one of his last books, published in 1987. "I was also caught in a dilemma: my pacifist upbringing forbade me to take an aggressive

part in the war." For a time he solved the problem by teaching navigation to US Navy students. Then the astrophysicist, Lyman Spitzer, found a research job for him at the Woods Hole Oceanographic Institution, working on anti-submarine warfare. "That seemed more justifiable to my conscience than bombing civilian populations," he wrote, "but I have never felt easy with it."

While many scientists left the institution by the end of the war to resume their peace-time careers, Stommel found himself so fascinated by the ocean that he stayed on. In 1960, though he had never earned an advanced degree, he was made professor of oceanography at Harvard University, moving to the faculty of the Massachusetts Institute of Technology three years later. He returned to Woods Hole in 1978 and

continued his research there until his death, though he was officially retired. His latest findings will be published posthumously.

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Henry Stommel is survived by his wife, Elizabeth, two sons and one daughter.

Julie Ward case hangs on a hair

FROM SAM KILEY
IN NAIROBI

TWO Masai game rangers appeared in court in Nairobi yesterday, accused of murdering Julie Ward three-and-a-half years ago. But in spite of an unprecedented search for the British tourist's killers, the prosecution case hangs on a few strands of hair.

Miss Ward had gone willingly with one of the men to a ranger's post in the Masai Mara game reserve after her car had got stuck in the Sand River bed. Salim Dhanji, for the prosecution, told the court. But then, Jonah Magiro and Peter Kipeen detained her until she was killed, between 36 and 48 hours before her burnt and dismembered remains were found on September 13, 1988.

The remains were found in an isolated grove by John Ward, who had flown to Kenya to join the search for his daughter after a friend had raised the alarm over her disappearance. Since then, Mr Ward has spent £300,000 trying to prove to the Kenyan authorities that she was murdered, not killed by wild animals as at first suspected.

Mr Dhanji said there were no other rangers at Makari from the time Miss Ward disappeared, on September 6, until her remains were found. Little was left of her body — a severed and charred lower leg, and the lower jawbone cut in two. About six weeks after the these were discovered, her skull was found. Among debris, where most of her body had been cremated, was a blonde hair, cut at both ends.

If convicted, Kipeen, aged 26, and Magiro, 28, face a mandatory death penalty. Mr Dhanji said that all the evidence, "circumstantial though it may be, taken as a whole, makes the proposition with the accuracy of mathematics that only the accused persons and no others had the exclusive opportunity to commit this crime".

He said that a Caucasian woman must have been at Makari camp, as Caucasian



Jonah Magiro, top left, and Peter Kipeen, appear in court yesterday accused of murdering Julie Ward, above left. Her parents, Janet and John Ward, above right, leave court after the morning session

hair was found at the huts occupied by these two rangers and at the radio hut. "But, significantly, no Caucasian hairs were found in any of the huts occupied by other rangers, who were in any event not present during this period. Caucasian hair was also found in the toilet."

The hair is the strongest link so far made to tie the two rangers to the death of 28-year-old Miss Ward, even though there is no scientific

proof that it was hers. Gitini Muiga, for the defence, seized on this issue.

He asked Paul Weld Dixon, who first raised the alarm over Miss Ward's disappearance and was a witness to the first post mortem examination performed on her remains, to compare a police photograph of the remains with his sworn statement to a Scotland Yard officer.

Mr Weld Dixon said the photograph appeared to

show an assortment of personal effects: the two pieces of jaw, the severed leg and two flip-flops. Mr Muiga then asked: "May I draw your attention to your statement of March 13, 1990 in which you say that there was the half leg severed below the knee, two pieces of what appeared to be a jawbone, one flip-flop and a twist of hair?"

"If that's what I said in my statement then it must be true. It was a long time ago

and I don't remember the hair," replied Mr Weld Dixon, who had allowed Miss Ward to camp in his garden.

James Orento, also acting for the defence, stated at the beginning of the proceedings that he intended to treat the case as a "cover-up" and that he would focus on the circumstantial nature of the evidence against the two game rangers.

Continued from page 1
ago, when British and American pilots then flew supplies to the city during the Soviet blockade.

The Cold War is over and, together we must build a new peace," Mr Baker said as the American-led humanitarian mission, called Operation Provide Hope, got under way.

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This may well be the fastest that anyone has conveyed food to and inside Russia since the massive American aid operations of the early 1920s. However, Washington's first efforts to feed Soviet Russia did not create a nation of pro-Americans, and the latest airlift — to consist of 54 flights carrying 2,300 tonnes of food and medicine — may well not do so either.

If there is an element of muddle in the airift, and continued confusion about the precise number of missions and volume of aid — arising from the fact that many countries are determined to make at least a symbolic contribution — it could lead to fresh misgivings among the hungry populace.

Or should we abandon all restraint and go for "the second option" — total freedom! In a free motoring world, explained Mr Riffkind, the state's "only concern would be to ensure that the access arrangements proposed were safe". A bracing thought. MPs shuddered. The sheer daring of it took the breath away.

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When the transport secretary mentioned the citizen's charter, the House grew hushed. We were conscious that though it seemed a chilly Monday afternoon like any other, we were at the cutting edge of this government's ideological revolution. Should the new motorway service area regime contain "a requirement that lavatories, telephones and parking" be "freely available"? It was, after all, "the *raison d'être* of the arrangements that they accommodate the needs of motorway motorists".

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But what would a man of Mr Dalyell's profundity mean by "awareness"? Was this micro-sleep a sort of forty winks at the wheel, or did he mean driving in a state of lowered ideological consciousness? Sadly, and by Dalyell's high standards, most of Britain's motorists are driving without awareness. So are some of his colleagues...

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ment is proposing. Second leap up and protest that it is (A) outrageous, or (B) trifling. Yesterday he protested that it was both. Mr Prescott is too lively a spirit to be shackled by the constraints of logical coherence.

The environment department, said Prescott, had walked all over Riffkind, "overruling him" and hobbling his ambitions. Heseltine had "vetoed his plans" on environmental grounds. All he was left with was "yet another statement in the continuing public relations rhetoric since the citizen's charter", born that is of the PM's defiance at what Mr Prescott called "the Appy Heater". It was, in short, a trifle, dressed up as something radical.

Latrocity. It was "a complete handing over of power to the developers". It threatened "the exploitation of beautiful areas around our motorways". It was unfair to lorry drivers. Our Yorkie from Hull squared himself menacingly against the dispatch box and promised to sweep away this horror as soon as. "I am secretary of state for transport". The prospect was too hilarious even for Mr Prescott, who stilled a giggle but was unable to suppress a grin.

"We all share his own merriment at the thought," said Mr Riffkind.

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MATTHEW PARRIS

Russia greets airlift of hope

Continued from page 1
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Political sketch

Making a meal of motorway trifle

Continued from page 1
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MATTHEW PARRIS

Clowes found guilty

Continued from page 1

purchased by Clowes for \$2.5 million. Further large sums from the offshore-based Barlow Clowes International went on takeover bids for public and private companies.

• Last night Labour and Liberal Democrat spokesmen demanded better protection for small investors against potential fraudsters,

Full details, page 4

Tunnel opening delayed three months

Continued from page 1
say that construction difficulties were to blame, said TML officials, who cited delays in ordering rolling stock on the French and British sides as the reason.

As all underground boring has now been completed, Eurotunnel attributes the slippage to the length of time it is taking to install fixed equipment along the 38-mile underground route. However, it was "wholly untrue" to

say that construction difficulties were to blame, said TML officials, who cited delays in ordering rolling stock on the French and British sides as the reason.

Eurotunnel's statement said: "The current rate of project progress, if maintained by TML, will not enable the Channel tunnel to open for service as intended on 15 June, 1993." The tun-

nel should be able to open at the end of summer 1993, it said, "if the contractors meet programme for installation and commissioning currently under discussion with them".

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BUSINESS NEWS 17-23
SPORT 24-28

THE TIMES BUSINESS

TUESDAY FEBRUARY 11 1992

BUSINESS EDITOR JOHN BELL

Fall in credit damps hopes of consumer-led upturn

BY COLIN NARBROUGH
ECONOMICS CORRESPONDENT

EXPO 92
Organisers of Expo 92 expect to break records in the exposition that is due to open in two months' time. Even the car park will rate a mention in the *Guinness Book of Records*. Page 21

DRY DOCK
MTS, which failed to secure Tees & Hartlepool Trust Port, has now pulled out of the bidding for Medway in Kent. Page 19

MORE CHARGES

Roger Levitt, head of the eponymous investment group, was charged on a further 37 counts, taking the total to 62. Page 19

HEAD ON
The Germans are mounting a challenge from across the North Sea to British Steel's Japanese sales. Page 22

INVESTIGATION

An investigation by the Australian Securities Commission has reported on companies run by Alan Bond. Page 19

THE POUND
US dollar 1.8270 (-0.0072)
German mark 2.8675 (-0.0012)
Exchange index 91.4 (same)
Bank of England official close (4pm)

STOCK MARKET
FT 30 share 1958.9 (+13.8)
FT-SE 100 2538.4 (+21.2)
New York Dow Jones 3235.47 (+10.07)
Tokyo Nikkei Avge 21819.52 (-287.60)

INTEREST RATES
London: Bank Base: 10.15%
3-month interbank 10.15% - 10.17%
3-month eligible bills 9.1% - 9.2%
US: Prime Rate 6.15%
Federal Funds 3.75%
3-month Treasury Bills 3.73-3.72%
30-year bonds 10.24% - 10.27%

CURRENCIES
London:
\$ 1.8270
DM 2.8678
Fr 1.6617
F 1.4030
FF 6.7781
F 5.9555
Yen 231.41
\$ 1.2670
index 91.4
ECU 0.711794
SDR 0.774659
£ 1.04900
London foreign market close

GOLD
London Fixing:
AM \$354.70 pm \$354.65
close \$355.00-355.50 (£194.50-195.00)
New York:
Comex \$355.65-356.15*

NORTH SEA OIL
Brent (Feb) ... \$19.00 bbl (\$19.05)

RETAIL PRICES
RPI: 135.7 December (1987=100)
* Denotes midday trading price

er". Final retail sales figures for December showed a revised 0.9 per cent fall in volume, initially given as a 1 per cent decline. This underlines the weakness of consumer spending.

City economists saw the retail sales and credit numbers as confirming persistent weakness in the economy. The chances of the consumer becoming bolder this quarter appeared unlikely, they said.

Advances of new credit were bigger than expected at £4.07 billion, after £3.75 billion in November, but the underlying picture suggested that hopes of a consumer-led climb out of recession are premature. That contrasts with a report yesterday that said figures for credit enquiries pointed to the "beginnings of a consumer credit recovery".

suggests that the consumer still sees no justification to change and start borrowing again." The final quarter of last year saw credit outstanding fall by £236 million, the biggest quarterly shrinkage since 1975. In the whole of 1991, it rose only £224 million, compared with £4.1 billion the previous year. The total outstanding, mainly debt accumulated in the late Eighties, stood at £30.2 billion in December.

Although new credit in December was above City expectations, the amount advanced to consumers over the final quarter was 2 per cent lower than in the previous one. Bank credit was down 3 per cent over the same period. The breakdown of the retail figures shows that household goods picked up strongly in December, despite

the absence of any signs of the housing recovery that usually precedes an upturn in such goods.

Recent analysis of consumer spending has uncovered a shift of purchasing habits. A new tendency is for the consumer to buy only big-ticket household items during sales. Mr Lyons said too much should not be read into the bounce in household goods, as it probably reflected heavy price discounting. "Recovery in retail sales will have to be broader-based if it is to have a significant impact on the whole economy," he said.

Consumers' reluctance to spend was one of the main reasons given by Oxford Economic Forecasting for sharply downgrading its growth forecast for this year. It

expects only 1.5 per cent growth, compared with the 2.25 to 2.5 per cent it predicted in November; it believes the ratio of savings to disposable income will remain high.

Government figures due out today are expected to show that factory-gate prices rose about 0.7 per cent in January, after an 0.1 per cent rise in December. The figure was boosted as manufacturers introduced their 1992 prices. Underlying inflationary pressures from manufacturing remain slight, however. The annual rise should slow to 4.5 per cent from 5 per cent in December. The prices industry pays for fuel and raw materials are expected to show a further decline year-on-year.

Comment, page 21

EC chief attacks Brittan over De Havilland

FROM TOM WALKER IN BRUSSELS

MARTIN Bangemann, the EC's industrial affairs commissioner, has inflamed a running dispute in Brussels by accusing Sir Leon Brittan of having been "completely wrong" in blocking a Franco-Italian bid for De Havilland, the Canadian aircraft manufacturer.

Sir Leon's team in Brussels has been anxious to give the impression that "Trafalgar De Havilland", which blew up in October, was dead and buried. Only last week Sir Leon's competition regime was given a vote of confidence by his fellow commissioners.

That was undone yesterday

The De Havilland case was

by Herr Bangemann, who said Sir Leon had made a decision "far away from reality" in outlawing the bid for De Havilland by ATR of Toulouse, a maker of commuter turbo-prop jointly owned by Aerospatiale of France and Alenia of Italy. The normally jovial German railed against the academic decisions by the "syndicats and gurus" of competition authorities.

Sources close to Sir Leon were amazed at the outburst. "It's hardly a good example of collegiality to talk so long after a decision that's gone against you," said one. Another said it was "just sour grapes".

The De Havilland case was



Sweet success: Alan Sugar and Terry Venables, chief executive, pull Tottenham back into the black

Tottenham returns to profits

BY OUR CITY STAFF

TOTTENHAM Hotspur, the quoted football club that last year attracted more headlines for the parlous state of its finances than for winning the FA cup, has returned a profit for the first time since 1989.

The performance is a triumph for Alan Sugar, founder of Amstrad, who was appointed Tottenham chairman last June.

Profits before tax for the six months to end-November were £810,000 (£2.14 million loss). Turnover for the period was £9.22 million (£8.9 million). Earnings per share were further boosted by a £200,000 recovery of previously written-off costs.

Mr Sugar said that despite the recent restructuring of the company's finances, which included a reduction of debt from £16 million to below £5 million, "there are still some financial matters to resolve". The company still has no distributable reserves and cannot pay a dividend. Mr Sugar said he hoped a restructuring of the balance would be completed "within the next few weeks". This would allow the company to make an "appropriate dividend" at the year end.

Mr Sugar described current trading conditions as "good" and was very confident that the year end result "will be pleasing to shareholders". The shares rose 8p to 90p.

Victor Ratner to leave group

BY GILLIAN BOWDITCH

VICTOR Ratner, deputy managing director of Ratners Group and a cousin of Gerald Ratner, its chief executive, is leaving the company following a management reorganisation instigated by James McAdam, Ratner's new chairman. Masarrat Hussain, administration director, is also leaving.

Mr McAdam said that Mr Ratner's departure was amicable. He tendered his resignation after the board decided to restructure the management of all the group's United Kingdom jewellery operations under a single management board to be chaired by Gerald Ratner.

for over 30 years, is also retiring at his own request.

The Ratner's board now has four executive directors and two non-executive directors. Ratner's shares were unchanged at 20p.

Mr McAdam said: "The people are very good and I am confident the board will get 100 per cent co-operation in its attempt to restore the group to its former position."



ENGLAND'S INVESTMENT IN WHITTINGDALE PAYS HUGE DIVIDENDS

WHITTINGDALE - THE OFFICIAL COACHING SPONSOR OF THE ENGLAND CRICKET SQUAD



WHITTINGDALE
GILT-EDGED EXPERTS

Whittingdale Unit Trust Management Limited is a Member of IMRO and LAUTRO. Whittingdale Limited is a Member of IMRO.

Counting the cost of Outhwaite

BY JONATHAN PRYNN

FOUR months and four days after 987 Lloyd's names opened their legal action against the Outhwaite underwriting agency, the biggest and most expensive court case in the history of Lloyd's will come to an end in the High Court this morning.

Mr Justice Saville, who has presided over the case since October, is expected to be told that after a week of negotiation the two sides have reached agreement in principle on an out-of-court settlement.

The decision to negotiate a settlement came from the Lloyd's errors and omissions underwriters who faced a total bill of up to £200 million if the case had been lost. Mr Outhwaite and the members' agents are not thought to have played a leading role in the settlement.

Ironically, some of the names who paid up and did not join the litigation, and who are still underwriting at Lloyd's, may now be hit by cash calls from syndicates underwriting the errors

and omissions insurance for the RHM Outhwaite agency and the 80 members agents also being sued.

Some of the fine detail of the settlement has yet to be agreed, but names on the action will be presented with an "offer document" outlining the terms. The deal represents a triumph for Peter Nurting, the chairman of the Outhwaite 1982 names association, and a member of the Council of Lloyd's, after a three-year campaign to bring the case to court.

Other names on the syndicate, which was one of the largest at Lloyd's, include Edward Heath, Tony Jacklin and Koco Forte. At the heart of the settlement will be the return of about £110 million to the litigating names, who have already paid out more than £200 million of claims. A further sum, thought to be between £10 and £15 million, will be used to pay for a reinsurance cover for future losses on the stricken 371/661

Outhwaite syndicate. The names are thought to have rejected any settlement that could have left

them completely exposed to an additional flood of pollution and asbestos claims.

Details of costs and interest accumulated on the losses, which have been fully paid up by most of the names, are not yet known.

The confidence of the errors and omissions underwriters may have been undermined by the statements made in the court by a witness for the defence, Ulrich von Eicken, a German insurance expert.

During his marathon appearance in the witness stand, which lasted from November to Christmas, Mr von Eicken had described Mr Outhwaite's underwriting of 32 run-off contracts as "astonishingly uncritical" and had claimed that Mr Outhwaite had lived in "cloud cuckoo land".

Richard Hazell, the deputy chairman of Lloyd's and the key defence witness, reinforced the image in his evidence when he described Mr Outhwaite's underwriting as "imprudent" in some respects.

Greece's new bank governor is named

EFTHYMIOS Christodoulou, the Greek national economy minister and a tough enforcer of the country's austerity programme, will become central bank governor next week. Constantine Mitsotakis, the prime minister, announced.

Mr Christodoulou, aged 60, earned the reputation of a no-nonsense boss at the economy ministry and will oversee a crucial period of transition, with the drachma expected to enter the European exchange-rate mechanism (ERM) next year.

Stephanos Manos, a former minister of environment and city planning as well as industry and energy, will become national economy minister, Mr Mitsotakis said.

Mr Christodoulou said in December that the drachma should enter the ERM as early as possible in 1993, even if Greece's economic indicators were not entirely right. Greece and Portugal are the only EC members outside the ERM.

At the economy ministry, Mr Christodoulou fought to cut inflation, now 18.1 per cent annually, and big budget deficits, seen as crucial to clearing the way for the drachma to enter the ERM. At the central bank he is expected to follow the policies of Dimitris Halilidis, the departing governor, by keeping money tight to cut inflation further.

Economists say much work must still be done to get inflation below 10 per cent before the drachma can enter the ERM.

Cap Gemini adds muscle in Sweden

BY WOLFGANG MUNCHAU
EUROPEAN BUSINESS CORRESPONDENT

CAP Gemini Sogeti (CGS) has consolidated its position as Europe's largest computer service and software house through the friendly acquisition of Programator, a Swedish data consulting company and the largest Scandinavian operator in its field.

The deal coincided with a forecast that CGS's 1991 net profits would be down by 10 per cent to Fr560 million.

CGS paid Fr500 million (\$48 million) for Programator. The acquisition comes a few days after Sandvik, the Swedish steelmaker, took up options giving it more than 50 per cent of Programator's voting shares.

Programator employs about 2,500 staff worldwide, and in 1991 had a turnover of Kr2 billion and net profits of Kr80 million. The company's profits had been depressed by the losses of a financial subsidiary sold in December.

The merger of CGS's Nordic operations and Programator will create a company with about 3,500 staff and sales of Kr3 billion. CGS claimed yesterday that it would be the "undisputed leader" in information services in Scandinavia.

CGS's 1991 results forecast shows how information technology companies have been

hit by the worldwide economic slowdown and the fall in computer sales. CGS forecast a fall in net profits from Fr623 million in 1990 to Fr560 million, including Fr55 million of non-recurring items, for 1991. The predicted fall comes despite a strong rise in turnover, up from Fr9.17 billion to Fr10 billion.

The company said economic and political uncertainties made it impossible to forecast profit for the current year, although turnover was expected to rise again.

The deal with Programator forms part of an ambitious strategy of expansion and alliances by CGS. Last year, Daimler-Benz, the German industrial conglomerate, acquired a 34 per cent stake in CGS at a disclosed cost of Fr2.4 billion. At the end of last year, Carlo De Benedetti, chairman of Olivetti, told an Italian parliamentary commission that he was in talks with CGS.

The deal with Daimler-Benz and the Programator acquisition have as their background a process of concentration in the computer services and software business, presently the fastest growing segment in an otherwise lacklustre information technology market.



Roulet goes for gold

THE winter Olympics around Albertville were planned as a showcase for French technology, industry, and culture. For Marcel Roulet, president of France Telecom (above), they represent an investment of more than \$68 million, which, for all its publicity benefits, is unlikely to pay off (see Ross Tidman's write-up).

The state-owned telecoms group has been preparing for the games for four years. A

\$60 million investment in additional capacity has been complemented by an \$8 million contribution to the costs of staging the competitions. More than 700 additional France Telecom staff have been drafted in from all over France. Special radio networks have been set up for the organisers, and broadcasting links have been established to radio and television stations throughout the world.

Norway predicts modest upturn

BY COLIN NARBERGH
NORWAY will see a modest pickup in growth this year, with the gross domestic product expected to rise 1.9 per cent, after a 1.6 per cent increase last year, according to government statistics.

Importantly, the onshore economy, which was last year ravaged by insolvencies and serious difficulties in banking caused by bad debt, is expected to grow 1.6 per cent this year, a substantial improvement on the tiny 0.2 per cent last year. The labour government forecast 2 per cent onshore growth in its budget statement, but shared the statistics office view that overall economic growth will be around 1.9 per cent.

William Ledward, European economist at Nomura Research, said the onshore economy in Norway would continue to face "tough times". But he predicted that North Sea output and shipping, the two mainstays of the economy, would continue to prop up the GDP figures. Mr Ledward said that an important factor working in Norway's favour was that it had achieved one of the lowest inflation rates in Europe.

Consumer price figures showed the annual rate of inflation slowing to 2.4 per cent in January from 2.9 per cent in December. The current account surplus meanwhile showed a sharp rise in the first 11 months of 1991, rising to Kr30.3 billion (\$2.7 billion) from the Kr18.2 billion surplus in the corresponding period of 1990.

Perrier shares leap on return to trading

TRADING in shares in Source Perrier, the French mineral water group, resumed after suspension on January 20 in the wake of Nestlé's and Banque Indosuez's hostile Fr13.5 billion bid. The shares opened at Fr1,500, up Fr104 from their close on January 17. At this level, Perrier shares trade above the Nestlé offer price of Fr1,475, reflecting expectations that Nestlé will have to raise its bid to win.

Shares in Exor, the largest shareholder in Perrier and itself subject to a takeover bid from Ifint, a holding company owned by Italy's Agnelli family, opened at Fr1,410, compared with Ifint's Fr1,320 offer price. The Nestlé-Indosuez bid for Perrier has been approved by the French stock market regulator, but needs treasury approval.

S Korea's French boost

SOUTH Korean carmakers are expected to be able to sell vehicles in France for the first time later this year, a foreign ministry official said in Seoul. "From 1992, we will allow imports of (South) Korean vehicles," the Yonhap news agency quoted Dominique Strauss-Kahn, the visiting French minister of industry and foreign trade, as saying. "But we hope Korean exports will be made gradually so that they do not disturb our market." The official said Kia Motor Corp and Hyundai Motor Co would probably sell vehicles from this year.

Le Monde makes loss

FRANCE'S independent daily newspaper *Le Monde* said it lost Fr28 million in 1991 because of a slump in advertising revenue, and could only hope to break even this year. Director Jacques Lesourne said that, despite a price increase and cuts in staff and running costs, the evening newspaper

lost Fr13 million more than forecast. Its loss in 1990 was Fr39 million. "Our aim for 1992 is to break even," Mr Lesourne wrote in yesterday's paper. He said he would be looking for further ways of saving money without sacrificing quality.

YSL sales improve

YVES Saint-Laurent Groupe, the French fashion and perfumes company, said that 1991 sales rose 2 per cent to Fr3.06 billion despite the weak economy. The group stood by its forecast that there would be a slight drop in 1992 operating profit from 1990's Fr252 million. Investment of Fr230 million in 1991 and a one-time foreign currency gain in 1990 of Fr25 million explained the dip in profit.

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MTS drops bid to buy the port of Medway

BY ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

MARITIME Transport Services (MTS) has pulled out of the contest to buy the port of Medway, Kent, raising the possibility that the port's managers will make the only final bid.

The decision reflects bewilderment and frustration at MTS, which failed to secure the assets of Tees & Hartlepool, the first trust port to be privatised, despite offering £22 million more than the successful bidder.

Geoffrey Parker, chairman of MTS, also blamed the high cost in both money and management time imposed on would-be buyers by the rush to privatise five of Britain's

biggest trust ports ahead of the election.

MTS, which operates the Isle of Grain container terminal within the Medway Port Authority conservancy area, was regarded as the strongest private sector contender for Medway because of its local knowledge and record of job creation.

Mr Parker sought meetings with officials at the Department of Transport after Malcolm Rifkind, the transport secretary, approved the Tees & Hartlepool Port Authority's (THPA) decision to sell its business to Teesside Holdings, a consortium backed by Powell Duffryn, the engineering and transport group.

Both MTS and a THPA employee consortium claimed criteria for selecting the winning bidder had changed during the bidding process. Mr Parker said: "The department were as helpful as they could be, but they were still saying that the decision was going to be made on a subjective basis."

MTS has decided to withdraw its indicative bid for Medway and is most unlikely to bid for either Tilbury or Grays, the two other ports most advanced down the privatisation track.

Medway, with an annual turnover of £30.5 million in 1990 and operating profits of almost £1 million, is now Britain's fourth-biggest trust port. It is also the biggest private-sector employer on the Isle of Sheppey, with a workforce of more than 650.

Members of the Medway Port Authority, who are responsible for the sale of the port assets, are believed to have extended the deadline for bids for the port, which was to have been February 3, in an effort to attract more interest.

The withdrawal of MTS in such circumstances will add to the difficulties faced by the port authority and its adviser, the accountancy firm Grant Thornton, in their efforts to achieve the best return for the taxpayer.

Bachmann Group returns to managers

BY MATTHEW BOND
AITKEN Hume International, the financial services group, has announced it is to sell Bachmann Group, its Guernsey subsidiary, back to its management for £17.8 million.

The sale settles the dispute between Aitken Hume and Bachmann over the amount of deferred consideration due under a 1987 agreement in which Aitken Hume bought Bachmann for £8 million but was liable to pay up to a further £23 million in profit-related payments.

Last September, Aitken Hume's accounts were qualified by its auditors after Bachmann — having already received some £1 million in performance payments — claimed a further £4.2 million. Aitken Hume offered only £2.3 million.

Yesterday's settlement sees Bachmann's claim paid in full, a decision which enabled an early agreement to be reached according to Ziad Idliby, chairman of Aitken Hume. Mr Idliby stressed that the disposal was entirely amicable and pointed out that Bachmann would still be managing Bachmann Bank, the Guernsey bank that, despite its name, is 100 per cent owned by Aitken Hume.

"We did not agree with the figures, but we did not go to arbitration because we wanted to settle the matter once and for all," Mr Idliby said, describing the settlement as wonderful news for Aitken Hume. However, the company admitted that the disposal would dilute earnings in the year to March 1993.

As part of yesterday's settlement, Aitken Hume will buy Bachmann's 23.9 per cent stake in the company, together with some convertible preference shares, for £5.6 million. The balance of the settlement, of £11.2 million, effectively buys out the outstanding deferred payments, which could have been worth a further £16.1 million over the next two years.

Following the share buy-back, Menston Investments and Sifcor Holdings will each have 32 per cent of Aitken Hume's voting rights. In the year to last March, Bachmann contributed £1.7 million to Aitken Hume's group pre-tax profits of £3 million. Aitken Hume made a pre-tax profit of £2.6 million in the six months to end-September.



Given the works: David Trippier, the environment minister, was in Cambridgeshire, visiting a £50 million extension to Anglian Water's Graham treatment works, which will bring water treatment there up to EC-imposed standards. The changes will increase the capacity of the works by 20 million gallons a day.

BCI and Rolls to shed 630 jobs

BY ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

MORE than 630 people, in the North-East and Scotland, will lose their jobs as a result of cutbacks announced by two of Britain's leading manufacturers.

Blue Circle Industries (BCI) is to shed 300 jobs with the closure of its gas boiler manufacturing plant at Birley, Tyne & Wear, and Rolls-Royce, the aero-engine maker, will cut employee numbers at its Hillington components plant, near Glasgow, by 330.

BCI, Britain's biggest manufacturer of gas boilers, will transfer production from its Birley site to its other manufacturing facilities at Padtham, in Lancashire, and Warwick. The company said the move was an attempt to reduce costs and improve efficiency after a slump in the market last year of 8 per cent.

Rolls-Royce said the Hillington job losses were among 3,000 the aero-engine maker expects to occur this year. The company recently confirmed the closure of its

Leavesden helicopter engine plant, in Hertfordshire, which will cost 1,100 jobs this year and next.

However, the location of other job losses within the 3,000 total is not likely to be detailed until management reviews have been completed.

Rolls is trying to improve efficiency to keep pace with American competition. Sales of aero-engines have been hit by reduced defence spending and a slump in air travel after the Gulf war.

Bond Corp report warns of criminal charges

FROM BRIAN BUCHANAN
IN SYDNEY

CRIMINAL charges may be laid against a number of senior business figures associated with the former Bond group companies. A two-year investigation by the Australian Securities Commission (ASC) has identified "major breaches of the law".

The ASC yesterday delivered a 600-page interim report to the director of public prosecutions (DPP) on Australia's biggest corporate crime enquiry, which looked into the collapsed Bond Corp group and associates.

Tony Harmel, the ASC chairman,

said yesterday: "Bond Corp was one of the world's most spectacular corporate collapses and we owed the markets and the investing public, both here and abroad, an explanation. Anything that was said had to be based on proper investigation and had to be subject to due process."

The ASC said the breaches "may give rise to criminal prosecution of a number of individuals who formerly held office in the Bond group companies and its associates".

A copy of the report has been sent to Michael Duffy, the federal attorney-general. Mr Duffy said he had asked the Commonwealth DPP to

advise him whether publication would prejudice any possible legal action. Murray Allen, a Western Australian ASC official, said it would be "weeks rather than months" before the first brief was given to the DPP and a "significant number" of people from the former Bond group could face prosecution. "We have identified serious contraventions of the law but the weight of evidence is a matter for the DPP," he said.

The ASC said its report focused on Bond Corp's use of Aus\$1.2 billion of cash reserves from the Bell Resources group and the lending of large sums from companies in the JN Taylor group to Dailhold Investments, the family company of Alan Bond, the former Bond Corp chief.

The National Companies and Securities Commission, the ASC's predecessor, forced Bond Corp to make a full bid for Bell Group in 1988. This gave Bond control of Bell Resources and JN Taylor.

Mr Bond was outside Australia last night and could not be contacted. He is fighting a bankruptcy notice issued by a banking syndicate for Aus\$259m. He has won a hearing before the High Court this Friday to appeal against a Supreme Court decision in favour of the banks.



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Hillsdown buys Unigate offshoot

BY OUR CITY STAFF

HILLSDOWN Holdings, year to March 1991, Tim Potter, food manufacturing analyst at Smith New Court, says the losses may have risen slightly since then.

The profit-related element of the payout may not be achieved, he said.

The deal is the first since Hillsdown's disappointing £280 million rights issue last October and the group is using some of the money raised then to pay for the acquisition.

Hillsdown is paying £18.5 million in cash for the fixed assets of the business and a further £8.1 million in three instalments of £2.7 million during the next three years for the working capital employed by the business.

There is a possible profit-related payment of £3.3 million a year for the next three years, dependent on the successful performance of Hillsdown's combined chicken businesses.

Sir Harry Solomon, Hillsdown's chairman, said the two groups had signed a confidentiality agreement that prevented his revealing the terms of the earn-out.

The Unigate chicken business lost £6.6 million in the

Tempus, page 20

Levitt four on bail until April

B Gas to float stake in Canada

British Gas is to sell a 15 per cent stake in Consumers Gas, its wholly-owned gas supply business in Ontario, Canada, by a public share-offering.

The offer, which is expected to begin within a month, will fulfil an undertaking given by British Gas to Canadian regulators when the company bought Consumers almost 18 months ago. Proceeds from the sale, which could reach Can\$200 million (£95 million), will go to British Gas's Canadian holding company.

Board ousted

Dissident shareholders have unseated the board of Conroy Petroleum and Natural Resources, the Irish exploration group. Richard Conroy, chairman and founder, was one of 10 directors voted off the board. A new eight-man board has been put in place.

Equitable buy

Equitable Capital Management Corporation, an American fund manager, has raised its shareholding in ADT from below 5 per cent to 6 per cent.

CRA blow

The profit report of CRA, Australia's biggest miner, will be affected by a writedown of Bougainville Copper assets. The Papua New Guinea company reports a consolidated net loss of 313.2 million kina (£180 million).

BCCI payout

Depositors at Abu Dhabi branches of the liquidated Bank of Credit and Commerce International will receive in April an initial compensation of 40 per cent of their assets, officials there said.

A victory for common sense

It is never easy for a layman to know whether one court case may set a precedent for another. In matters as complex as insurance law, it is more likely that each one hangs on distinct and different issues.

But it would nevertheless be surprising if the out-of-court settlement won by Lloyd's names in the Outhwaite case did not lead other aggrieved names to try their hands at litigation too. No matter that liability has not been tested in the Outhwaite case. Determined action in the face of considerable difficulty has yielded a benefit to those who refused to accept defeat.

Few names will wish to find themselves in the position of 600 Outhwaite syndicate members who decided not to stump up further good money to pursue their claims through the court and are now excluded from the settlement. Insofar as there may now be an increasingly litigious tendency after a famous victory for names, fresh problems have been created for Lloyd's, which has a number of entirely unconnected disputes on its hands.

However, as in so many cases at Lloyd's, relief for one group of names brings pain for others. Part of the settlement will be met by errors and omissions syndicates at Lloyd's. Some names will gain with their right hand and lose with their left.

Lloyd's has another couple of years of appalling trading to cope with before its results pick up, other things being equal, along with the underwriting cycle. It will need, throughout this difficult period, to attract fresh capital and maintain the support of existing names.

Through his role in encouraging both sides of the Outhwaite dispute to meet each other and discuss possibilities for settlement, David Coleridge, Lloyd's chairman, has made a positive contribution.

If these developments facilitate a resolution of other outstanding disputes within the community of Lloyd's, so much the better. But it is not at all clear that the others are as suitable a case for treatment as Outhwaite.

Bumping along

Searching for the recovery is a painstaking business these days. Surely it is there somewhere if only we could find it. The Bank of England, provided it does not wield its telescope with the diplomatic use of Nelson's eye-patch, will have a go today, and everyone has opportunities later in the week to cast a magnifying glass on capital spending statistics or the latest bulletin on industrial output.

Yesterday's credit figures illustrate the frustrations. The fall in credit outstanding in December was one of the biggest on record, showing consumers determinedly paying off their debts. There is, however, some relief. New consumer credit advanced by finance houses, on the main credit cards and in non-mortgage credit from building societies, was up 8 per cent between November and December on seasonally adjusted figures and was 7 per cent higher than December 1990. This seems to confirm the message from Infolink, the credit information supplier, that there were 8 per cent more credit searches in December than a year earlier. This does not allow for the increasing choosiness of lenders but the official figures give some credence to Infolink's report of a recovery in credit demand in January.

In retrospect, consumer demand may well have turned the corner already. But new credit in December was still lower than in April or July. Without the benefit of hindsight, credit, like so many measures of demand and output, still appears to be bumping along the bottom.

Expo 92 is on target to open in two months' time. Harry Debelius looks behind the scenes at Spain's confident management of this international showcase

Barely two months before the opening of what can legitimately claim to be the greatest show on earth, the organisers of Seville's Expo 92 continue to accumulate records. No previous world exhibition has achieved Expo's level of international participation, with nearly 100 countries represented, and a total of 111 exhibition pavilions, including thematic ones and those occupied entirely by individual companies.

Despite the many recent changes in the political map of the world and what that implies for an international exhibition, Expo officials confidently say their fair will be ready on time. A preview tour of the fairgrounds, where many of the buildings are finished and workers are putting in overtime to complete others, confirmed that impression.

Only a handful of pavilions leave any doubt. They include South Africa, which came in late after an international embargo was lifted; Israel, which took too long to decide whether or not to take part; Kuwait, whose project was delayed by the Gulf war; Yugoslavia, for obvious reasons, and — curiously — the Red Cross. No doubt most of them will be ready, for it is in the interest of exhibitors to be there on time.

The sheer magnitude of Expo 92 will be the first surprise for the 18 to 25 million visitors it is expected to draw between the grand opening on April 20 and the grand finale on October 12, the 500th anniversary of Columbus's first landing in the Americas. So huge is the site on the specially reshaped Cartuja island in the Guadalquivir river, with its gardens, plazas and broad shaded walkways, that even the parking lot, with space for 45,000, including 15,000 buses or other oversized vehicles, will get a mention as the world's biggest in the next edition of the Guinness Book of Records.

Visitors will reach the site via a number of new bridges, including the elegant Barqueta Bridge, joining the city with Cartuja island.

Expo deserves its "greatest show on earth" title not merely because of the countless exhibits which it encompasses: it will also make show business history with 55,000 entertainment events, 35,000 of which will be free of charge. These include thousands of activities in the many pavilions, non-stop street performances by clowns, actors, jugglers, magicians, musicians and others, in the Expo grounds; several daily open-air concerts by musical groups and orchestras of all kinds; and seated-audience performances in Expo's big outdoor theatre and various theatres in the centre of Seville.

Staging this biggest show took

some giant-sized financial management. Originally projected from the experience of previous international expositions, Expo 92's overall budget was estimated in 1986 at slightly less than 65 billion pesetas (£340 million). From the start, the intention of its organisers was to balance the books in the end.

Within four years the original budget estimate had doubled, not so much as a result of cost overruns as of the surprisingly favourable reception Expo was getting abroad. The event had to be scaled up, allowing for more pavilions and, consequently,

The sheer magnitude of Expo 92 will be the first surprise for the 18 to 25 million visitors it is expected to draw by the close in October

ly, more investment in infrastructure. By the end of last year, according to official figures, the budget estimate had grown to nearly three times the original.

Organisers now have no doubt that, by the time the exposition has closed its doors next autumn, the overall figure will be more than Pta200 billion. That does not include spending by the exhibitor countries and firms. The books are still expected to balance. Revenue

will come from admission tickets, franchises, commissions, sponsors, a grant from the International Cooperation Agency to aid construction of a joint pavilion for countries that could not participate on their own), special national lottery drawings and postage stamps.

The key factor in making the debits match the credits will be the value put on the vast infrastructure and the permanent buildings owned by Expo at the time of liquidation. One of those buildings has already been spoken for by the Andalusian regional government; several others are to become part of a technological study centre that will prolong indefinitely the economic life of Cartuja Island.

The very vastness of Expo has brought organisers some king-sized headaches, but Emilio Casimero, the commissioner general of the exposition, says his Expo team is not suffering now. Even the upheaval in eastern Europe and in the former Soviet Union, which provoked fears of acres of abandoned, unfinished pavilions, was dealt with rapidly and efficiently for the most part. The Russian-dominated Commonwealth of Independent States has taken over the big Soviet pavilion, and the Baltic states managed to build separate pavilions of their own. Poland and Bulgaria joined forces to present a single joint pavilion.

The UK is present with one of the largest buildings on the site — much bigger, for example, than the recession-dogged American pavilion, which had to be scaled down from its original ambitious proportions due to a lack of commercial sponsors. Following the overall theme of Expo 92 — discovery — Britain will show off its technological achievements in blackish, glass-and-steel building as big as Westminster Abbey, incorporating the biggest water-wall ever built and situated, on European Boulevard at International Avenue, a prime location.

The building, known as the Cathedral of Water, was designed by Nicholas Grimshaw and Partners

'Britain will show off its achievements in a glass and steel building as big as Westminster Abbey, with the biggest water-wall ever built'

and was built by Trafalgar House Construction Management, which also built the futuristic Dutch pavilion. There was no suggestion of the British showing up late for the party, incidentally: Britain was the first participating country to present its project, on July 24, 1989; and early this month workmen were putting finishing touches on the building and testing the water-wall.

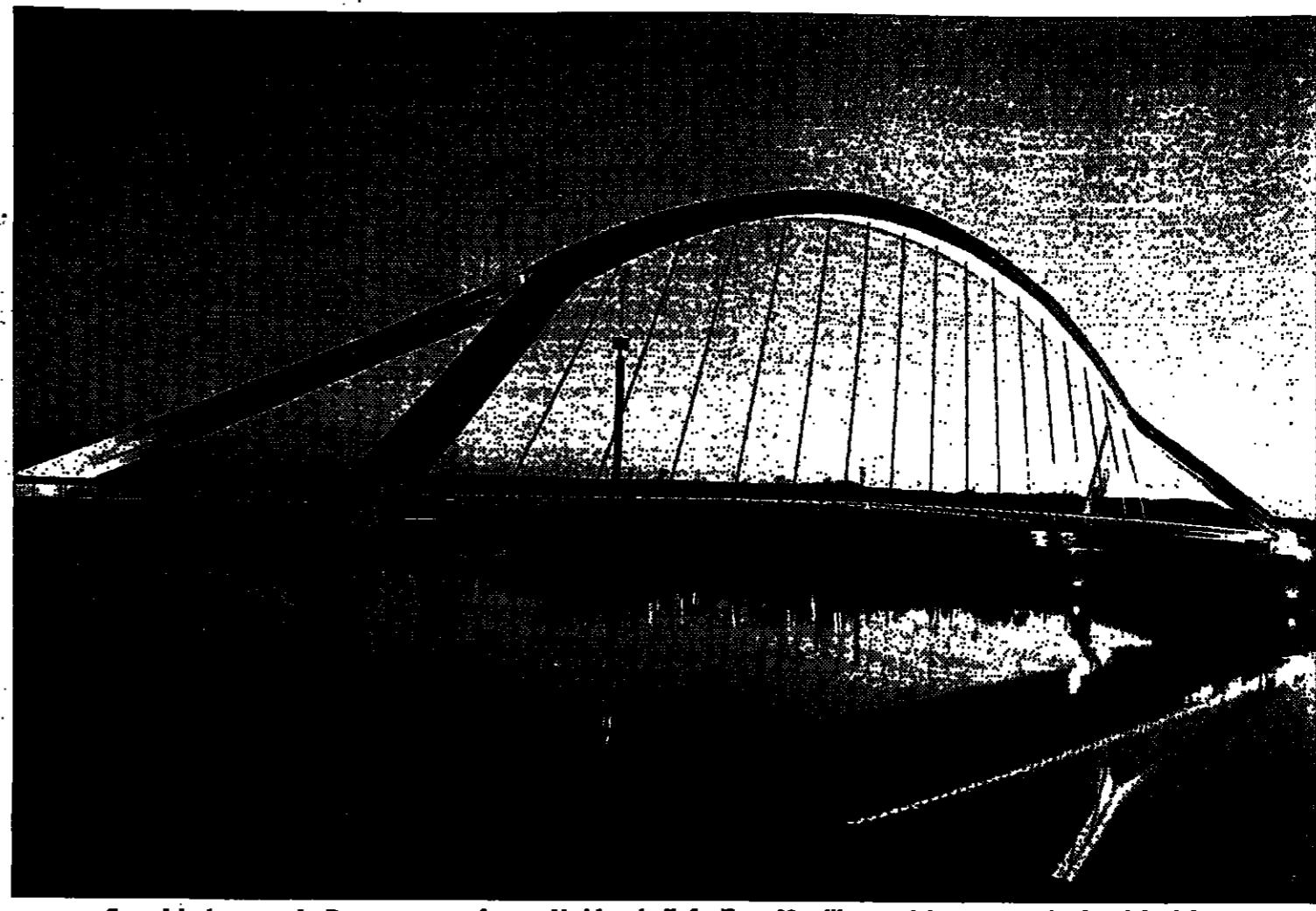
The Japanese, by contrast, have decided to present their technology

in a low-key manner. In what is billed as the largest wooden building in the world, visitors will be regaled with exhibits on Japanese culture, art and history. Among the displays is a collection of ceramic tiles reproducing famous European and Asian master paintings. The tiles are traditional, but the process by which the images were flawlessly reproduced on their surface is — inevitably — high-tech.

Complete with its own clinic and a fleet of ambulances, Expo will be able to handle 500 sick people a day; arrangements have been made for beds in hospitals in and near Seville if necessary. It has its own fire department and a special centre for lost children.

Tests, conducted by opening the gates to the people of Seville for a preview, show that the calculations of planners, that Expo can comfortably handle up to 250,000 visitors a day, are correct. According to Senator Casimero, the commissioner general, saturation point would be reached if the number of visitors rose as high as 430,000 on any given day. In that case, no more would be allowed in.

The organisers are expecting up to 25 million visitors during the six months of the event but one variable that is hard to calculate is the number of days the average visitor will spend at Expo. Officials are recommending a minimum of three days if people take them at their word it will mean near-capacity crowds every day.



Span-ish elegance: the Barqueta, one of several bridges built for Expo 92, will carry visitors across the Guadalquivir

THE TIMES CITY DIARY

Furlong takes it a bit easier

JIM Furlong, one of the 50 or so people recruited en masse from the ruins of Drexel Burnham Lambert by County NatWest two years ago, resigned on Friday as head of its US equities desk in London. Furlong, who earned more than \$1 million a year, now plans to launch his own recruitment consultancy, specialising in the US equities market. "County is now far and away the leading UK firm in US equities," he says. "It is doing 1.5 per cent of New York Stock Exchange volume and last year it did \$1 billion in US equity financings. Prior to that it had done nothing." As for his reason for leaving, Furlong, aged 37, says: "I have been in this business for 14 years now, I have made a lot of money but I want to try something new. I also no longer want to have to work five days a week. I want to spend a bit more time with my children. They are aged three and five and I hardly knew them." The recruitment consultancy, to be London-based, will be called Furlong Associates. "It will specialise in recruiting US equities producers, in sales, research and trading, for US equity firms. There are people doing it already but very few who really understand the US equity business."

Billy remembered

BILL Anderson, known within the London stockbroking community as Big Bad Billy, died late on Saturday night at a hospital near his San Diego home in California. He was 61. Anderson, a colourful City character who began his



"You won't lend me anything."

broking career at Tether & Greenwood, went on to Panmure Gordon, became joint senior partner of Guy Puckle (joint with his long-time friend Bill Collins) and then worked for Earmshaw Haes and, until his retirement a year ago and his move to America for tax reasons — Walker Crips. A big, stocky man, partial to gold jewellery and permanently sun-tanned, he married for the second time three years ago and fathered a third child, Kimberly, now two. His wife, Rosie, was in Britain, undergoing medical treatment, when he died. Trevor Bass, of City Financial PR, said: "He was a tremendous character, very generous, a keen supporter of stock exchange charities and great fun to be with." Golf was his overriding passion, he became a member of the Variety Club of Great Britain Golfing Association, and he suffered a heart attack while travelling back from Portugal, where he had taken part in the Jimmy Tarbuck Golfing Classic.

Radler's law

Perhaps the staff at the *Daily Telegraph* should be told, David Radler, Conrad Black's right-hand man with in Hollinger Incorporated — he is the president and chief operating officer while Black is the chairman and chief executive officer — has explained his management philosophy for newspapers. Radler, speaking in Canada where Hollinger, which owns 262 papers including *The Daily Telegraph*, has the company's headquarters, said: "I visit the office of each prospective property at night and count how many desks there are. That tells me how many people work there. If the place has, say, 42 desks, I know that I can put that paper out with 30 people, and that means a dozen people will be leaving the payroll even though I have not seen their faces yet." As a little aside, he then added: "I don't audit each newspaper's editorials day by day, but if it should come to a matter of principle, I am ultimately the publisher of all these papers. And if editors disagree with us, they should disagree with us when they're no longer in our employ. The buck stops with the ownership. I am responsible for meeting the payroll; therefore, I will ultimately determine what the papers say and how they're going to be run."

What's in a name? The new chairman of P-E International, George Cox, was chairman of selectors for British rowing from 1978 to 1980. He once worked for a firm of management consultants — Urwick, Orr & Partners.

CAROL LEONARD

Forecasts of Lloyd's results

From Mr A.C.L. Sturge, Chatset

Sir, We are sorry that Mr Wilding (Business Letters, February 4) finds our forecast for Lloyd's for 1991 alarmist and irresponsible.

Our predictions are based on the overall market figures at the end of the September quarter 1991, and take into account all relevant factors which make up the bottom line result to Names. We have included estimated figures for topping up of old year reserves and deficiencies on

Index-linked gilts

From Mr D. Gilling-Smith

Sir, Hugh Wynne-Griffiths (Business Letters, January 29) misses the key points in my article (January 24) in which I put the case for further issues of index-linked gilts with maturity dates up to 2040. In particular:

1. Long-dated index-linked gilts are the only matching investment that enable an insurance company to offer index-linked annuities.

2. One of the few ways in which trustees of private-sector pension funds can guarantee index-linked pensions is to buy index-linked annuities for member and spouse at the date of retirement. This practice has not only been a godsend to many members of small self-administered schemes, but also to members of large funds.

3. I cited a man retiring at 60 with a spouse of 50 who might live to her 90s — what other investment can enable the provider to guarantee an inflation-proof pension over a 40-year period?

Mr Wynne-Griffiths is perfectly correct in stating that he did better with equities in the equity boom of the mid-

syndicates with open years. Lloyd's excluded these when making its estimates of a loss for 1990 of £390 million and a profit for 1991 of £420 million; neither did it take into account the likely deterioration in costs and investment returns falling.

Our loss forecast for 1990 of approximately £1 billion is in the same ballpark as the Lloyd's figure when these items are accounted for.

Yours faithfully,
A.C.L. Sturge,
Co-Editor, Chatset, SW1.

I am sure he did well in the property boom if he got out before property took a nosedive. But it's horses for courses.

My argument that index-linked gilts are a bad buy for pension funds is in arguing that they appear to be a rotten deal for government/the taxpayer. My belief is that index-linked gilts enable private-sector employers to offer the index-linked income security in old age enjoyed by members of public sector schemes, so that we avoid a "we" and "them" divide. It is also my belief that with the requirement to fund some £30 billion of debt over the next 12 months, government could, in present market conditions, pay less for its money by issuing a substantial proportion in the form of index-linked gilts.

Apart from insurance companies, a lot of pension funds might be takers. There should be a mutual benefit to us as taxpayers and as present and future pensioners.

Yours faithfully,
DRYDEN GILLING-SMITH,
Managing Director,
EBS Management plc,
30 Finsbury Square, EC2.

Names pay the price of apathy

From Mr M.D.J. Chesterman

Sir, The Rowland Report on the future of Lloyd's records that out of the miserably low number of 290 submissions received by the Task Force, a mere 127 came from Names. As a percentage of the current membership of around 22,500, those 127 letters represent 0.5 per cent of Names.

I have it on the highest authority that the chairman's office has received approaching the same number of 127 letters complaining about the Task Force report. Surely Names have only themselves to blame if they could not make their views about Lloyd's and its future known to Rowland in time for his report and in sufficient numbers to indicate a constructive interest, rather than the apathy suggested by the response from the membership of only 0.5 per cent. And to decry the report after its publication suggests both shouting at the fleeing horse that has bolted as well as closing the stable door too late.

There is a case to be made, perhaps, that Names have taken too little interest in the past in the golden goose whilst she was laying her golden eggs only to condemn her now when she is temporarily egg-bound. I speak as an External Name of 20 years' standing, experiencing the same losses as most of the membership.

Yours faithfully,
M.D.J. CHESTERMAN,
Knight's Manor,
Swaffham Prior,
Cambridge.

Letters to *The Times*
Business and Finance
section can be sent by
fax on 071-782 5112.

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VOTED BEST TO MIDDLE EAST 1989, 1990, 1991.

VOTED BEST TO ASIA 1990, 1991.

VOTED BEST TO EUROPE 1990, 1991.

VOTED BEST TO NORTH AMERICA 1990, 1991.

VOTED BEST TO SOUTH AMERICA 1990, 1991.

VOTED BEST TO OCEANIA 1990, 1991.

VOTED BEST TO AUSTRALIA 1990, 1991.

VOTED BEST TO NEW ZEALAND 1990, 1991.

VOTED BEST TO ISLANDS 1990, 1991.

VOTED BEST TO HAWAII 1990, 1991.

Klöckner targets Japanese car firms in Britain

BY COLIN NARBROUGH, ECONOMICS CORRESPONDENT

BRITISH Steel faces a serious challenge from across the North Sea for the steel orders from Britain's fast-expanding Japanese car plants.

The challenge will come from a DM 300 million plant currently being built at Bremen, north Germany, by Klöckner-Werke in partnership with C Itoh, the Japanese trading house, and Rautaruukki, a Finnish steel group.

The plant, scheduled to come on stream next year, will have an initial capacity of 400,000 tonnes a year of zinc-coated steel, the material long favoured by Japanese car makers for the bodies of

their vehicles. Worldwide, the switch from mild to galvanized steel has been one of the main developments the car industry has seen over the past decade.

In anticipation of higher demand for zinc-coated steel, BS has spent £150 million on a zinc coating plant at Shotton, in Clwyd.

In addition to that plant, which will have a capacity of one million tonnes, the company is building a new plant at Llanwern, in South Wales.

Klöckner, which is also a leading European supplier of plastic components for the car industry, is understood to have identified Britain's Jap-

anese car makers as a strategic target for steel sales. It expects Japanese cars to increase their market share sharply in the European Community in the Nineties.

Outside Europe too, Klöckner foresees increasing partnerships with Japanese firms as a key element of its global plan.

Last week's 6.4 per cent pay settlement in the German steel industry is expected to increase the pressure on German steelmakers to rationalise. The merger between Krupp and Hoesch should be completed by next year, while Thyssen, the biggest German steelmaker, is streamlining its operations by merging specialty steels into its general steel division.

These developments increase the pressure on medium-sized German steel companies, such as Klöckner, to develop new alliances with non-German partners.

Klöckner's integrated steel mill at Bremen, built in the Eighties, was criticised for adding capacity to the German steel industry when overcapacity was already a problem.

However, the location of the works, far from the Ruhr, Germany's industrial heartland, makes it possible for the zinc-coating plant to be built at relatively low cost.

Klöckner will own 50 per cent of the plant, with C Itoh and Rautaruukki both holding interests of 25 per cent each. Klöckner claims that the works is one of the world's most cost-efficient.

Targeting Japanese transplants in Britain forms part of Klöckner's plan for co-operation with the Japanese in other markets, including America. Through C Itoh, which has a 6 per cent stake in Klöckner, the German group is understood to be pursuing links with Kawasaki, the Japanese steelmaker.

Japan has limited such exports since 1981-2, when the US Congress threatened restrictions on Japanese car imports. The quota, originally set at 1.68 million cars per year, was raised to 1.85 million in 1984-5 and to 2.3 million in 1985-6.

possible protectionist backlash during the American election year, he said.

An analyst at a Japanese research institute said: "Japan will be able to say it is trying to cut down on exports, while the US will be able to say it won a concession from the Japanese car industry."

A tighter curb on exports is not likely to hurt the industry as Japanese car exports are already well below the limit, said Koji Endo, analyst at SG Warburg Securities Japan.

Japanese car exports to America totalled 1,763,288 in 1991, compared with a "voluntary restraint" limit of 2.3 million cars a year.

Exports to America are on a downturn because Japanese companies are producing more cars at their American plants and relying less on exports from Japan, leading carmakers said.

Japan has limited such exports since 1981-2, when the US Congress threatened restrictions on Japanese car imports. The quota, originally set at 1.68 million cars per year, was raised to 1.85 million in 1984-5 and to 2.3 million in 1985-6.

"The quota hasn't changed for years, even though [Japan's] car exports to the US have been decreasing," a source at one carmaker said. "We haven't heard anything official, but we think a lower limit is likely."

A Ministry of International Trade and Industry official said a figure would be determined by the end of March. "We don't know whether it's going to be higher or lower than the current limit, or even if it's going to change at all," he added.

Car industry analysts, however, say the ceiling unchanged since 1985-6, is likely to come down.

"If the Japanese carmakers don't give in on something, the repercussions may be rather severe," said James Paradise, analyst at Dresdner Securities (Asia). Japan will probably conclude it is in its own interests to make a conciliatory gesture on the car trade issue rather than face a

Japan may cut quota of car exports to US

FROM REUTER IN TOKYO

JAPAN may lower its self-imposed quota for car exports to America from the current 2.3 million per year from April 1, industry analysts and carmakers said.

"The quota hasn't changed for years, even though [Japan's] car exports to the US have been decreasing," a source at one carmaker said. "We haven't heard anything official, but we think a lower limit is likely."

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Always something of a

rogue elephant" in the German steel industry, Klöckner would appear once more to be seeking novel ways of staying alive in the bleak years facing the world steel industry.

Analysis said last month that they were mystified at Mr Packer's motives after reports that he will have raised more than Aus\$2 billion from

Sydney: Kerry Packer, Australia's richest man, is floating his magazine interests to streamline his business empire.

"He thinks it's better to have a listed vehicle," said Neville Miles, a director of Ord Minnett Securities, which is underwriter and broker to the Aus\$475.75 million (£195 million) float of Australian Consolidated Press Group (ACP). He was speaking at the media launch of the prospectus for the issue to the public of 95.15 million shares, or 55 per cent of ACP, at Aus\$45 each.

Richard Walsh, ACP managing director, declined to comment on how Mr Packer planned to use the proceeds of

asset sales. Mr Miles said Mr Packer, whose net worth is estimated to be above Aus\$2 billion, was not selling out of ACP completely and would retain 45 per cent. "He's just getting his house in order and streamlining his business, which I don't think is an unreasonable thing to do," Mr Miles told reporters. (Reuters)

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RUGBY UNION

Harlequins drawn at Roehampton in Pilkington Cup

BY DAVID HANDS
RUGBY CORRESPONDENT

WITH unerring aim, Peter Yarranion paired Harlequins with Rosslyn Park in the Pilkington Cup quarter-final draw yesterday, four days after the departure of Simon Dear, the England B lock, from the Park to the Quins had caused such ire at Roehampton.

That Yarranion, the president of the Rugby Football Union (RFU), should have done so adds irony to the draw since on Saturday he watched his own club, Wasps, go down to Harlequins, the cup holders. "We'll be all right so long as we don't lose another three to them in the next fortnight," Hugh McHardy, the Park coach, said, trying to lodge his tongue in his cheek.

In fact, the two London clubs met at the quarter-final stage last season, Harlequins winning at home 24-12. On February 22, they will be away, reflecting perhaps on their league meeting with the Park at Roehampton in December when they won 24-12, but this time were

Murphy will step up

NOEL Murphy, the former Ireland and British Isles flanker, will take over as the Irish team manager after the five nations' championship (David Hands writes).

As successor to Ken Reid, his first responsibility will be as manager of the party to tour New Zealand in May.

Newcastle Gosforth v Leicester
Orrell v Gloucester
Rosslyn Park v Harlequins
Bristol v Bath

Ties to be played on February 22

outscored by three tries to none, victory coming courtesy of seven penalty goals and a dropped goal.

Sensibly, McHardy played down the possibility of ill-feeling between the clubs. "In rugby terms, Harlequins are an exceptional team," he said. "We know they're very well built games we have played in the past have never been dirty games."

"I think what has come out of it [the Dear affair] is that we don't understand why he chose to go when he did. There's nothing wrong with recruitment, we all do it, but it seems irrational to leave now."

McHardy denied that the cup game might divert attention from the Park's league plight – they have yet to win a game. "Being in the cup keeps the spirits up," he said, and certainly he will have no

problems of motivation, though he regretted that Dear, who is cup-tied, would not be among his players' opponents on Saturday week.

Some giants of the competition will depart after the next round, since Bristol (finalists four times) are drawn at home to Bath (winners on six occasions) and Orrell entertain Gloucester (finalists on four). Theoretically, the easiest tie sends Leicester (finalists six times) to Newcastle Gosforth, were it not for the fact that Newcastle have been outscoring all comers at home for most of this season.

Orrell and Gloucester, whose third cup meeting it will be, stand first and second in the league, though their first division encounter is not until the end of March. Orrell had the better of their 1987 cup match, Gloucester gaining revenge a year later, but it will take a brave man to forecast the outcome this time of what will be a thunderous forward encounter but in which the home backs may make the difference.

The Bristol-Bath rivalry is of such long standing that each will know just what to expect from their fourth cup meeting. Bath squeezed home in the 1989 quarter-final 14-12 in a mudbath, and beat Bristol 10-9 at Twickenham in the 1984 final. Bristol won as long ago as 1976 but were not so far distant in the most recent league game, in December, when two penalty goals from Jonathan Webb and a Jeremy Guscott dropped goal outweighed Derek Eves's try.



Locked on target: Sharon Edgell, a wren WA representing the Royal Navy, lines up her next shot in the women's inter-services championship at Guildford yesterday. The Navy's rifle team retained its title, recovering from a 12-point deficit to the Army team at the halfway stage and a two-point gap as the last round began. The Royal Air Force were third. Results, page 27

England have thrown away the textbook

ENGLAND have moved on at last. Moved on to realise the potential that is always there but restrained by too much caution and lack of trust.

It used to be said, probably by us in Wales, that England could play as much rugby as they cared, train as often as they wished, and write erudite textbooks as much as they liked, but they still could not play the game as if they understood it properly. There was no instinct attached to their performance; the game did not run in the blood, as it were. Rugby did not come easily, so that as one observer suggested: you can see their players think you are prepared for the next move.

"Go among the shilling crowd any fine day at the Oval," Cardus wrote about cricket, "and what do you hear? Little technical jargon, little talk of off-breaks and the position of the left-finger-bone in the late cut." All they are interested in is the beautiful stroke.

England rugby, too often, was literally text book stuff. There were airs and graces.

Plenty of good, solid heart. But somehow made to seem manufactured; no instinctive rhythm, no moods and changing colour. Not enough, Cardus might say, "personalities."

Safe usually, and orderly. Too much of the South-East perhaps, and not enough West Country or Midlands. Not enough devil-may-care; a bit short on sporting cunning and twinkly-eyed mischief.

They sidestepped and dummed all right. But they often

made it appear as if they had read about it in some library or other. Apart, quite naturally, from Duckham or Jackson, of Coventry, say.

There were many great players, make no mistake, but the team often appeared inhibited, so that the whole was very rarely the sum of its successful parts.

How things have changed. It is Wales who are nowadays looking predictable, a national team inheriting the sins of the clubs.

In their two appearances this season, England have shed their wariness. There is a naturalness to their game. Now, you need to keep your eyes open all the time in case you might miss something. You can no longer wander while these players have thoughts about them. The game's afoot. And do I detect, among the white jerseys, that there is a bit of passion around to this tactics evolve, as Australia showed.

If "suck them in" is the bane of the game in recent years, as Jeff Butterfield recently said, so it is time, as England are now showing, to promote the idea to "let the ball do the work".

There is the nonsensical view that the only way to take players out of the game is to be in physical contact with the opposition. Good timing of the pass takes an opponent out of the game long before the tackle is made.

It is England's significant step forward that they are not following their recent, more rigid practice. They are making the ball do the work.

They have learnt. One day, not now, they may ponder on the cost exacted last November. It is a blessing to see England play as they are. There is not much fun in seeing a team being less than its true worth.

With only five points separating Kingston and Worthing before the second leg of the National Cup semi-final at Tolworth tomorrow, it is as well that two respected officials, Howard Cleixon and Will Jones, will be in charge. Both of Kingston's last two games, the first leg of the semi-final at Worthing last week, and Saturday's home Carlsberg League fixture against London Towers, were notable as much for controversy as the manner of Kingston's victories.

Simon Barnes is richly fascinated by plots beneath the America's Cup water line

up to duel with flair, fortune and force of personality. A billionaire may not be able to score goals, or knock out Mike Tyson, or ride thoroughbreds, but when it comes to negotiating, these people could play for the galaxy. This is the sport where the toughest minds in the world attempt to *jimmy the rules*.

Feuding is rife. The organising committee is fatally split between its need to find an American defender of the America's Cup, and the need to organise a regatta, when talking about the maverick New Zealand challenge of 1988 – the match that ended up with a New Zealand boat that was like the Cutty Sark, only bigger, racing against a catamaran that looked like a pond-skater, with that old rogue Dennis Conner driving.

The rules are strange, and used to be something to do with the square root of something. The history is ancient and bizarre. More time has been spent in the board-room and the courts than in the water. In the late twentieth Century, the America's Cup brings us the most important bit of boat below the water line: the most important part of an America's Cup campaign is the surface.

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Points in common between Koch and Gardini: both were born into money, both had massive family rows about control (Koch

island). The sport just doesn't have the following. As for making fortunes, well, Peter de Savary, who couldn't afford a go this time, and Alan Bond, under investigation for alleged financial malpractices, are not the finest advertisements for the profitability of the America's Cup.

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"We'll just Jimmy the rules and jerk them around, just like the New York Yacht Club did for 132 years," Elman is supposed to have said at the time. Needless to say, he adamantly denies this. However, he is now known as Jimmy-the-Rules Elman – and he has given the America's Cup the perfect motto. Well, if you want an expert on how to Jimmy the rules, the first person you would try is a billionaire.

But these people are not in the main, mad publicity-seekers. Some like the lime-light more than others: but the fact of the matter is that the America's Cup is not the ideal vehicle for global pub-

licity. The sport just doesn't have the following. As for making fortunes, well, Peter de Savary, who couldn't afford a go this time, and Alan Bond, under investigation for alleged financial malpractices, are not the finest advertisements for the profitability of the America's Cup.

And yet the event was blessed with one of the great moments in sport: 1983, when the underdog Australian challenger overtook Conner at the end of the last race in the series. Pure magic. Only sport can do this.

Everybody went bats, predicting that this was the sport of the future, and so on. But it is not. For example, here in the United States, the television coverage is on cable: the 24-hour sports channel, ESPN. The top networks do not want to buy four months of interminable milling about on lumpy water.

Most sports operate on the what-you-see-is-what-you-get principle. But here, the preparation, the scheming, the below-the-surface stuff is all. Conner said the other day: "The America's Cup has already been won and lost. It's just we don't know the result." That, for those inside this esoteric sport, is the eternal fascination. And that, as far as a mass audience is concerned, is its eternal weakness.

BASKETBALL

Decisions upset Kingston

BY NICHOLAS HARLING

THE seemingly ever-widening rift between players and officials needs to be partially bridged this week, at least, if the last third of the season is not to be completed amid a background of increased acrimony.

It is England's significant step forward that they are not following their recent, more rigid practice. They are making the ball do the work.

They have learnt. One day, not now, they may ponder on the cost exacted last November. It is a blessing to see England play as they are. There is not much fun in seeing a team being less than its true worth.

With only five points separating Kingston and Worthing before the second leg of the National Cup semi-final at Tolworth tomorrow, it is as well that two respected officials, Howard Cleixon and Will Jones, will be in charge. Both of Kingston's last two games, the first leg of the semi-final at Worthing last week, and Saturday's home Carlsberg League fixture against London Towers, were notable as much for controversy as the manner of Kingston's victories.

"It's something we have to live with, but the main problem is keeping the guys' frustration levels down," Kevin Cadle, the Kingston coach, said. "But just because it's the same for both teams doesn't mean that we have to be happy about it."

Ironically, it was when London failed to capitalise on the most controversial decision of them all, a charging foul against Alton Byrd, that Kingston took charge of Saturday's game, romping to a 99-85 success that keeps them on the heels of Thames Valley Tigers in the championship race, and augurs well for their forthcoming cup-tie.

Thames Valley won easily at home, 108-81, against a Birmingham Bullets squad subjected to further indignity

in front of its home crowd the following evening by Derby, who won 89-65.

After five successive defeats, the latest 86-84 at Leicester on Saturday, Manchester finally came good with 102-78 victory at Cheshire Jets, who had just returned from a defeat of similar proportions, 99-72, at Worthing. Worthing demonstrated some of the form from Hubbard (24 points) and Baker (23) in particular; that Kingston will have to counter tomorrow. "We've got to perform," Cadle said.

With Tigers resuming 18 points to the good in the other semi-final second leg at Leicester on Thursday, the Bullets club, at least, seems assured of reaching next month's final in Sheffield.

HOCKEY

Hightown aim for European goal

BY ALIX RAMSAY

WITH their eyes on Europe next weekend, Hightown flexed their muscles to win the national indoor club championship on Sunday, showing themselves to be the better organised side on the day, and ready to take on the best Europe has to offer.

Under the guidance of their England indoor coach, Maggie Souvage, they came through the weekend unbeaten, scoring 22 goals in the

group matches on Saturday before brushing aside Slough 5-2 in the semi-finals, and Chelmsford 4-2 in the final.

Doncaster were also unbroken in the pool matches, claiming the scalp of Slough along the way. But in the semi-final they could not find an answer to the sharp shooting of Jo Green, who scored four goals to lead Chelmsford to a 7-3 victory.

Jackie Crook did the dam-

age for Hightown in the final, equalising in a tight first half after Green had given Chelmsford an early lead, and then scoring another two after the break to put the game beyond Chelmsford's reach. She and Linda Carr had also both scored twice against Slough.

Now, Hightown travel to Frankfurt next weekend, hoping to reproduce the form and lift the European indoor title.

Jackie Crook did the dam-

POOLS SECTION

DRAW specialists are usually worth following, and Port Vale come into that category. They have already drawn 12 second division matches, seven of them at home. Expect them to increase that number when they play host to Leiston City.

Peterborough United, of the third division, are also the pools punters' friend, with tendrils this season. Another look likely in their home game against Stockport County.

Only two positions and no points separate Exeter City,

Saturday February 15, unless stated.

FA CUP

FIFTH ROUND

Nottingham Forest v Southampton (Sunday);

Chelsea v Sheffield United;

Bolton Wanderers v Liverpool;

Norwich v Nottingham Forest;

Nottingham Forest v Bristol City;

Portsmouth v Middlesbrough;

Southend v Watford;

Nottingham Forest v Sheffield Wednesday;

Walsall v Bradford City;

Nottingham Forest v Birmingham City;

Sheffield Wednesday v Middlesbrough;

Southend v Walsall;

Nottingham Forest v Birmingham City;

Southend v Walsall;

Nottingham Forest v Birmingham City

Run For Free to enjoy festival pipe-opener

RUN For Free, one of Martin Pipe's six entries for the Sun Alliance Chase at Cheltenham next month, should continue to enjoy a morale-boosting run-up to the National Hunt Festival by winning the first division of the Bet With The Tote Novices' Chase (Qualifier) at Newmarket today.

Staying the extended three-and-a-quarter miles on the West Country track is unlikely to prove a problem for this eight-year-old, whose elder half-brother, Bankers Benefit, finished second in the Irish Grand National eight years after their dam, Credit Card, finished third in the Cheltenham three weeks ago.

Brooks would clearly have loved to run Parson's Thorns to complete a treble after successive victories over two-and-a-half miles at Chepstow and Haydock. I respect his trainer Charlie Brooks's decision to drop back to the minimum trip in search of ideal ground.

Brooks would have been

having won three of his four races over hurdles last season.

While Cherrykino showed that he is a clean-winded horse by winning first time out last term, I feel that he faces an uphill task as he is opposed by Parson's Thorns and Trubron.

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Act of sportsmanship rebounds unkindly on New Zealand as beneficiary ensures that third Test match is drawn

Lamb's reprieve is England's salvation

FROM ALAN LEE
CRICKET CORRESPONDENT
IN WELLINGTON

THERE have been any number of times during the past 12 months when the Test career of Allan Lamb was popularly thought to be over. He had sunk into the trough from which 37-year-old cricketers seldom come back, his form elusive and his fitness unreliable.

Controversially given a guaranteed winter contract by the England committee, he was subsequently dropped from the team during the series against West Indies, and won a place on this tour more through a regard for his one-day expertise than a belief that he had much left to offer in Test cricket.

Lamb openly resented the threat of the pension book, and brislingly informed all who doubted him that he would prove them wrong. Yesterday, at the Basin Reserve, he did just that, scoring his first century in 11 Tests to ensure England retained their 2-0 margin in this series, and their unbeaten first-class record on tour.

His 142 was the highest of his 14 Test centuries, in his 77th game. His achievement, however, went beyond statistical merit. More than four of Lamb's five hours at the crease were spent under the threat of defeat; the fifth was spent in pursuit of personal goals, securing a further extension on his England shelf-life.

In the final reckoning, it will appear that England saved the game with great comfort. Indeed, it will seem that New Zealand were the more endangered side by the time the last, painfully soured session ended half an hour early. The pre-lunch play, however, puts a different perspective on the day. England, resuming 44 runs ahead with three wickets already down on a pitch players of both sides deemed likely to disintegrate, were proceeding towards sanctuary when three wickets fell for five runs. The lead was 127, and only Lamb and Jack Russell were left to protect the tail.

Either side of lunch, the cricket was taut. England were scrapping for survival. Against a better, more consistent bowling attack, they may have gone down. Instead, the seventh wicket added 105, the final 50 coming with almost jaunty self-indulgence.

New Zealand have not lost on this ground since 1968. Paradoxically, the only real threat of that sequence ending today lay in the possibility of England being bowled out between lunch and tea. Then, perhaps, with a target of



Flashpoint: Micky Stewart, the England team manager, tries to prevent the Television New Zealand cameraman, Vaughan Scott, from filming the departure of the injured David Lawrence on a stretcher, then remonstrates with him, at the Basin Reserve early today. Lawrence's agony, page 28

around 190 in three hours, the home side would have felt compelled to chase, and thereby might have been spun to its fate.

Graham Gooch agreed with the hypothesis, but he was never likely to declare with the game still open. "You might do so in a county match, when a draw is useless and you must often risk losing in order to win," he said later. "But this was a Test match. This is different."

Gooch's view is that Test cricket must be above frivolity, and he is right. But to maintain respect it must also be above reproach, which is why the day's first incident was much its most refreshing.

Lamb had quickly added

nine to his overnight score when he edged Cairns low to the left of first slip. Crowe came up with the ball, claimed the catch, and Lamb was initially signalled out by the umpire, Steve Dunne, though as his back was turned Lamb remained unaware of it.

Ian Smith, the wicketkeeper, intervened and, after a general consultation, Lamb's innings continued. It inspired that New Zealand's prospects of victory had perished in that moment but, later, Crowe had no complaints.

"The ball had felt good in my hand and I came up thinking it was all over," he said. "But Smithy had a good

look at it and said I had got it on the scoop. That was good enough for me, whether he had been given out or not. The spirit of the teams has been like that through the series."

The reprieve instilled a new conviction in Lamb's game, and he gave nothing resembling another chance. Together with his friend and alter-ego, Robin Smith, he looked to be putting the game beyond recall but, when the stand was worth 121, this fine match took another concealed side-turn with the fall of Smith, Reeve and Botham in rapid succession.

New Zealand's four-man attack could not go through with its thrust and Gooch was able to choose his moment to expose their batsmen to a little embarrassment.

Botham salvaged something from an undistinguished game with two wickets. Reeve savoured a rare bowl with a third. But by then the cricket meant little and even Gooch, retreating to the deep, seemed to have switched off from the game to grieve for the fallen Lawrence.



Lawrence's agony, page 28

Crowe in World Cup

Wellington: Martin Crowe, who last week said that he may not be fit enough to play in the World Cup, was yesterday selected to lead the New Zealand squad of 14.

"I'm very confident! I will be able to see the rest of the season out," Crowe said after the drawn third Test match

against England.

New Zealand also recalled Mark Greatbatch, the batsman who has been out of form, and Chris Harris, the all-rounder.

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Adelaide enjoys rare night feast

FOOTBALL

Beenhakker must act fast to stop the rot at Real Madrid

BY PETER ROBINSON

AS IF by waving a magic wand, Leo Beenhakker was supposed to move back into the coach's office at the San Bernabeu stadium and immediately revive Real Madrid. It has not quite happened like that. The brief reign of the popular Radomir Antic at an end, Real have continued to slip back towards the rest of the Spanish league.

Sunday's unexpected 2-1 defeat at the hands of Real Valladolid has left them just two points clear of Barcelona at the top of the table, and further eroded their confidence. Beenhakker, two games into his second spell in charge at the club, has watched almost helpless as his team have taken just one point out of a possible four. He may have an enormous task to turn the situation around.

"It's bad," Ricardo Rocha, the Brazilian defender, said as he described Real's sinking

feeling. "It's been one of my biggest disappointments. Ever since we played Zaragoza [when they drew 1-1 in mid-December], we have not been able to get it together."

Which must be music to the ears of the Caparols. A last-minute winner from Julio Salinas earned Barcelona, the defending champions, a 1-0 win at Sevilla and a broad smile from the club's manager, Johanna Cruyff. "I'm delighted," Cruyff said. "We didn't have a brilliant day but we got two points."

Benfica's form that humiliated Arsenal in the European Cup may be fading memory, but they have at least kept pace with the Portuguese league leaders, Porto. Benfica showed signs of their previous style and panache on Sunday, beating Sporting Lisbon 2-0 with goals from William Andrade and Antonio Pacheco. Porto held their advantage over Benfica, how-

ever, with a 3-1 defeat of CS Maritimo.

Juventus kept their interest in the Italian championship alive with their 1-1 draw at AC Milan on Sunday, but you would hardly think so from the reflections of Giovanni Trapattoni, their manager:

The distance between us remains the same. That Milan has an extra gear, I think we all knew, and I think the league table tells the truth, except that I don't agree about the points gap between us, perhaps there should be a point or two less of a difference."

Perhaps, but had Juventus won in front of a packed San Siro, a five-point gap at the top of Serie A would be a much more manageable three points and a threatened procession would be a race to the lead.

Barcelona's chances of survival were dealt a blow by the news that David Planat would be out of action for at least two weeks after injuring his ankle in the 1-1 draw at Sampdoria.

PSV Eindhoven, still licking their wounds after dropping out the Dutch Cup at the weekend at Ajax, yesterday confirmed that Hans Westerhof will replace Bobby Robson at the end of the season. Westerhof, the coach at FC Groningen, will take over with a two-year contract.

His return to win everything on offer in the Netherlands and also the European Cup. Sounds so easy when you say it like that, doesn't it?

Liverpool play Kozma

THE Hungarian international midfield player, Istvan Kozma, will make his first appearance for Liverpool in the reserves at Bradford City on Wednesday. Although Liverpool have obtained a work permit for their new recruit, who was signed from Dunfermline for £300,000, they were unable to register him in time for tonight's FA Cup fourth-round replay with Bristol Rovers.

Novacek in upset

KAREL Novacek of Czechoslovakia, was involved in a bad-tempered match with the Croatian, Goran Prpic, before advancing to the second round of the Belgian indoor ATP tennis tournament yesterday.

Novacek, seeded seven, disposed of Prpic, 6-4, 7-6, but was repeatedly disgruntled by line calls. He threw a ball into the crowd, and slammed his racket down twice. He broke his racket after the match by slamming it to the ground and kicked an advertising panel.

BIG ENTRY
Cycling: The Mediterranean Tour gets underway in Perpi-

gnan today with a impressive tally of 25 teams.

Player dies

Basketball: A post-mortem examination has been ordered on Luca Bandini, an Italian forward, aged 23, who collapsed while playing for his team, Imola: Virtus and later died of cardiac arrest.

Cars race again

Rallying: The Paris-Moscow-Beijing car rally, cancelled last year because of civil unrest, will start on September 2.

Close finish

Horse racing: Gulfstream Park in Florida staged the Preview Stakes on Sunday, which produced a close finish to the first trial for the Kentucky Derby. Waki War-

rior had an unconvincing half-length success over Scream Machine, with Careful Gesture a neck away third.

Cook to defend

Boxing: James Cook is poised to defend his European super-middleweight title in Marseilles on April 4. Mickey Duff, the Peckham boxer's manager, says negotiations are "almost complete" for the bout to go ahead against Frank Nicotra, France's official EBU No. 1 contender.

No power

Football: Dynamo Dresden, already lacking goalscoring power, may be totally powerless for next weekend's Bundesliga tie as they have not paid their electricity bill in four months.

STAGERS RALLYE: Long Marston (Warringtonshire), 1; Harewood (Yorkshire), 2; Alford (Lincolnshire), 4; 1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, 19th, 20th, 21st, 22nd, 23rd, 24th, 25th, 26th, 27th, 28th, 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, 44th, 45th, 46th, 47th, 48th, 49th, 50th, 51st, 52nd, 53rd, 54th, 55th, 56th, 57th, 58th, 59th, 60th, 61st, 62nd, 63rd, 64th, 65th, 66th, 67th, 68th, 69th, 70th, 71st, 72nd, 73rd, 74th, 75th, 76th, 77th, 78th, 79th, 80th, 81st, 82nd, 83rd, 84th, 85th, 86th, 87th, 88th, 89th, 90th, 91st, 92nd, 93rd, 94th, 95th, 96th, 97th, 98th, 99th, 100th, 101st, 102nd, 103rd, 104th, 105th, 106th, 107th, 108th, 109th, 110th, 111th, 112th, 113th, 114th, 115th, 116th, 117th, 118th, 119th, 120th, 121st, 122nd, 123rd, 124th, 125th, 126th, 127th, 128th, 129th, 130th, 131st, 132nd, 133rd, 134th, 135th, 136th, 137th, 138th, 139th, 140th, 141st, 142nd, 143rd, 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THE TIMES SPORT

TUESDAY FEBRUARY 11 1992

Test match fall leaves England bowler in agony with broken kneecap



Frightening fall: David Lawrence, the England fast bowler, screams with pain after breaking his kneecap when he slipped while bowling against New Zealand

Lawrence's career in the balance

FROM ALAN LEE
CRICKET CORRESPONDENT
IN WELLINGTON

DAVID Lawrence, England's popular pugilist fast bowler, underwent surgery here today which will determine if he can play cricket again.

In an incident as gruesome as anything I have seen in this game, Lawrence broke his left kneecap as he fell in his delivery stride during the last session of the drawn third Test match against New Zealand. He was carried off on a stretcher borne by half the England team, screaming with agony, and spent last night under sedation in Wellington Hospital.

Assessments of his career prospects will be made after today's operation, known as tension band wiring, but at the least he will miss all the coming English season. Last night, Bob Bennett, the tour manager, said: "The injury is major. His kneecap is in two pieces, split horizontally, but although it is severe, I am advised that it does not necessarily mean the end of his career."

Lawrence will remain in hospital for several days and the attendant orthopaedic surgeon, Professor Horn,

warned that it would be at least a fortnight before he is fit enough to be flown home.

The injury created such instant distress within the England party that emotions raged unchecked. A television cameraman, attempting to film the visual and audible agony of Lawrence as he left the field, was pushed aside by the team manager, Micky Stewart, then pursued up a flight of steps by Jack Russell.

Other England players showed anger over what they considered an insensitive intrusion.

The cameraman's employers, Television New Zealand, ran an emotive story as the second item on their national bulletin, accusing both Stewart and Russell of assaulting the cameraman, allegations to which the England management was considering a reply when they discussed the matter today.

I saw nothing which could be called an assault. What I did see was a manager and players reacting, as humans do, to a situation few, if any of them had encountered before, the sort which within a touring environment, is akin to a sudden and serious illness in the family.

Stewart, whose only culpability is to be the charge that he

may be too close to his players and too emotional in their defence, said: "The way I conducted myself was to ensure that the people close to Syd [Lawrence], his family and friends, were not getting on his suffering. Whatever I did was from a human point of view. As a last resort I believed it necessary to push the camera away."

Russell's reactions were provoked by feelings even more personal. Lawrence is not only a team-mate at Gloucestershire; he has been a close friend since they first played together at school. But he said last night: "At no time did I touch or push or punch anyone. All I did was shout at the cameraman."

The most dispassionate view of the episode came from Martin Crowe, the New Zealand captain, who probably faced the last ball Lawrence will bowl in a Test match. He said: "I watched it go past off stump and then heard a huge scream. Players around me said they had heard a crack, too, and one England player was visibly very upset."

"I have never seen an injury like it. I have seen no one suffer so much on a sporting field."

Stewart, who has been in-

volved in cricket and football for 40 years, said: "I have not seen anyone in such excruciating pain as Syd was suffering. He was screaming in agony and he is not someone who shows pain."

Graham Gooch, the England captain, confirmed that his players were "very depressed" about the injury and that it had taken the shine off the 2-0 series win over New Zealand.

Philip August, the Gloucestershire club secretary, said yesterday: "It would be a tragic loss for cricket if he was forced into retirement. But if the operation is a success, he should be back training again in four months."

The team physiotherapist, Laurie Brown, accompanied Lawrence to hospital and recounted how he was asking, even in his anguish, how long it would be before he could play again.

Brown recalled footballers who have resumed their careers after similar injuries.

Unspoken, but sadly acknowledged, was the discrepancy that Lawrence is 17 stone of muscle whose job is to pound his left foot into the bowling crease upwards of 100 times a day.

Lamb's best, page 26

Surgeon says that injury is reparable

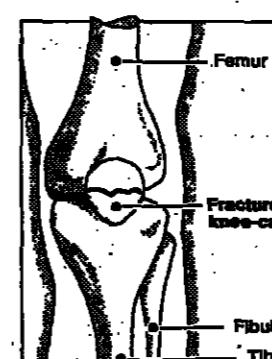
BY THOMSON PRENTICE
MEDICAL CORRESPONDENT

DAVID Lawrence's fractured kneecap should heal after about six weeks, allowing him to regain full mobility and play cricket again, a consultant orthopaedic surgeon in London said yesterday.

The team physiotherapist, Laurie Brown, accompanied Lawrence to hospital and recounted how he was asking, even in his anguish, how long it would be before he could play again.

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It is likely to bear the brunt of a direct impact on the knee.

In the operation, known as tension band wiring, the two parts of the kneecap, separated by a horizontal fracture, are bound together vertically by wire sewn through the surrounding tendon and tied below the fracture.

"He might need a plaster on his leg to facilitate healing of the bone, and he won't be able to think about playing cricket for six weeks, but I would expect him to recover completely," Hall said.

The location of the patella, a small bone shaped like an oyster shell between the femur and the tibia, means

that it is unlikely to be damaged.

Small is expected to arrive in New Zealand on Thursday

and may play in Saurday's third and final one-day international at Christchurch.

England also play the Kiwis in Dunedin on Wednesday.

New Zealand team, page 28

Taylor invites Jones to his England party

BY STUART JONES
FOOTBALL CORRESPONDENT

GRAHAM Taylor yesterday closed the doors to his England squad for the finals of the European championship. In doing so, he opened the competition for perhaps the four remaining vacancies in the team that will line up for the first match against Yugoslavia in Malmö on June 11.

The elimination process, which will eventually cut in half the list of 40 contenders, will begin with the B game against France at Loftus Road on Tuesday. It will end after the last home appearance of the season, against the Brazilians at Wembley on May 17.

Seven places would seem already to have been reserved. Chris Woods, Mark Wright, Des Walker, Stuart Pearce, David Platt, John Barnes and Gary Lineker, the captain, whose international career is to finish in Sweden, are all so firmly established that injury alone is likely to threaten them.

Assuming that Taylor persists with the formation he has employed most consistently, he is looking for a right back, two midfield players and a forward to complete his jigsaw. The most prominent claimants to those positions are respectively either Paul Parker or Lee Dixon, David Rocastle, Geoff Thomas and Alan Smith.

Yet, within the enlarged squad picked for the two games against the French next week, are four potentially more imaginative preferences. The alternative right back, Rob Jones, is the one unfamiliar name among the 30, but even though he is only aged 20 and inevitably inexperienced, his inclusion is no surprise.

A graduate from the same Crewe Alexandra school as Platt and Thomas, he was bought by Liverpool for £200,000 in October. Within two months, he was a regular figure in the side, accelerating towards the top of the first division and his qualities have since earned him widespread admiration. He reminds Taylor of Phil Neal, one of his predecessors at Anfield who collected 50 England caps between 1976 and 1984.

"He links up well with his right foot, and I've not yet seen anybody outrun him," Taylor said. "I've also been very impressed with his maturity. Since Dixon has lost form and Parker is among the casualties (with

COMBINED PARTY (for full and B internationals) against France on February 18 and 19: C Woods (Sheffield Wednesday), D Clarke (Sheffield Wednesday), A Corton (Manchester City), L Dixon (Arsenal), R Jones (Liverpool), S Pearce (Nottingham Forest), A Dorigo (Leeds United), D Walker (Nottingham Forest), W Hoddle (Tottenham), G Pallister (Manchester United), G McAllister (Tottenham Hotspur), M Macaulay (Everton), M Currie (Sheffield Wednesday), Thomas (Crystal Palace), D Bassett (Leeds United), D Rocastle (Arsenal), P Webb (Manchester United), P Stewart (Sheffield Wednesday), G Smith (Sheffield Wednesday), A Daley (Aston Villa), A Shilton (Queen's Park Rangers), R Keown (Tottenham), K Wilcox (Sheffield Wednesday), N Martyn (Crystal Palace), E Barrett (Olympic Athlete), D White (Manchester City), D Beardsley (Everton).

Barnes, Platt, Paul Gascoigne, Mark Hateley and Michael Thomas, Jones could even be catapulted into the senior side at Wembley next Wednesday.

Another adventurous choice would be Matthew Le Tissier, one of the most talented individuals in the country. Although his natural ability is beyond question, as Taylor saw for himself during a tour of Brazil four years ago, his infuriatingly languid attitude has stunted his progress. Unless he shows a more urgent sense of commitment, the 23-year-old from Southampton will go no further.

Neil Webb had already proved his worth before his career was interrupted by a ruptured Achilles tendon. Taylor, who had been waiting for him to regain full fitness, recalled him for the B game in Spain in December and now promises to use his creativity at a more senior level.

"He may not be the quickest of players, but he is always looking to play forward passes," Taylor said. "I like that. He hurts the opposition by taking one or two of them out of the game." England have, for some time, been notably short of such penetrative distribution in midfield.

The forward who could most benefit is David Hirst. Selected only once so far, during the comparatively meaningless tour of the South Pacific last summer, the prolific leader of Sheffield Wednesday's front line could be Lineker's most effective ally.

As Taylor appreciates, there is only one way to find out. Since next season will be filled with World Cup qualifying ties, he has only three months in which to experiment.

Johnston is ignored

ANDY Roxburgh effectively ended the international career of Maurice Johnston yesterday when he dropped him from his squad to face Northern Ireland.

Roxburgh, the Scotland coach, named six forwards in his party, including a newcomer, Keith Wright, of Hibernian, for the match at Hampden Park next Wednesday, but Johnston's name was conspicuously absent.

The Irish have recalled their regular captain, the central defender, Alan McDonald, after missing two games with injuries, and the Sheffield Wednesday midfiielder, Jimmy McIlroy, has also been omitted. Johnston's name was conspicuously absent.

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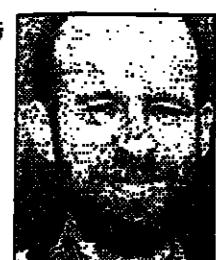
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PARENTS

The joys
and trials
of work
experience



LAW

Why are
lawyers taking
to the streets
tomorrow?

LIFE & TIMES

TUESDAY FEBRUARY 11 1992

Putting the fizz into socialism

Why should the Left stick to stale old cakes and ale politics? Alan Ryan says no one should choke on the idea of a lavish Labour fund-raising banquet

Political bandwagons may be driven by passion, but they are fuelled by cash — a truth better known to American politicians than to anyone else. The fund-raising dinner at \$50, \$500 or \$5,000 a plate is a standard item in the US fundraiser's armoury.

Gastronomic events they are not: "rubber chicken" is the politest description of the usual fare, but then the object is not to put calories into the voters but bucks into the candidates' pockets. It seems a bit unfair that as soon as the Labour party joins the modern world, emulates the American Democratic party and raises some cash by a dinner for its better-off literary friends, it is mocked, and its socialist credentials impugned.

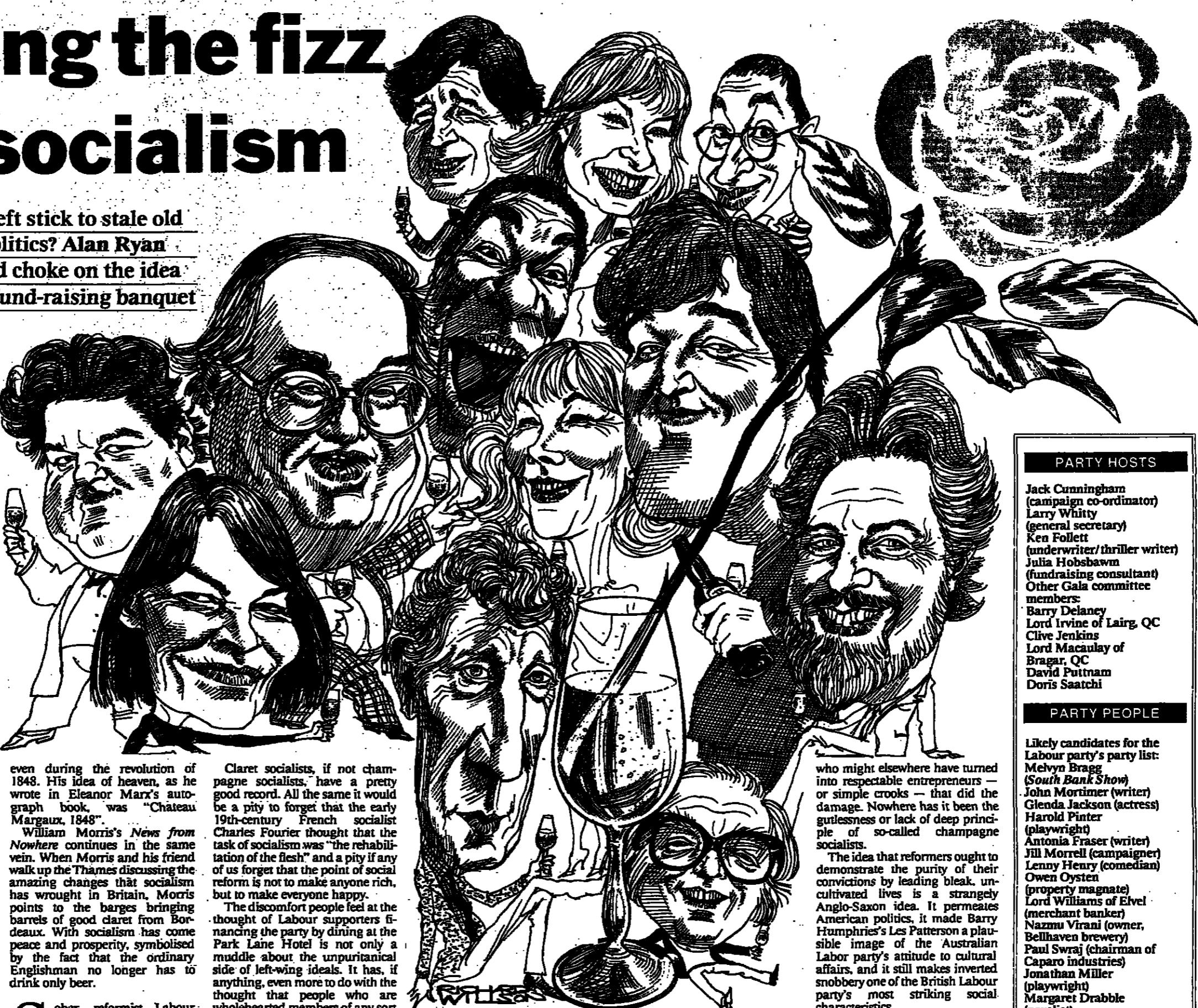
Once again Neil Kinnock's new model Labour party is being taken to task for holding a £500-a-head dinner at which guests (see panel, right) will eat from a menu devised by, among others, the chef of the fashionable London restaurant 190 Queensgate, and drink "free" champagne from an anonymous donor. The event, at the Park Lane Hotel in Mayfair on Thursday, will raise at least £150,000 for party funds.

Why do the English think socialists cannot eat at the Park Lane Hotel without losing their credibility? Nobody in America says Paul Newman isn't a real Democrat, even though he doesn't just go to Democratic party dinners but runs a gourmet food business.

Cries of "champagne socialism" miss an important point. They confuse socialists — or egalitarian — complaints about how the good things of life are distributed with a puritanical complaint against the pleasures of the flesh. But puritanism and socialism are entirely distinct: one of George Orwell's most famous invectives was his attack on the bearded, sandals-wearing vegetarians who made socialism appear so deeply unattractive to anyone of reasonable health and vigour.

Enthusiasm for good food and drink in fact one of the oldest strands in English socialism. When our impoverished forebears dreamt of the earthly paradise it was flowing with cakes and ale. The chief feature of "the land of Cockayne" was gastronomic delight. Being a very English Utopia it did not aspire to champagne, but it certainly aspired to abundance rather than austerity.

You might dismiss all that as a reflection of the life of peasants who spent their actual lives scraping a precarious living from the soil, and constantly facing the threat of famine. But Friedrich Engels was no peasant — he was a partner in a Lancashire cotton firm, and rarely missed a meal



even during the revolution of 1848. His idea of heaven, as he wrote in Eleanor Marx's autograph book, was "Chateau Margaux, 1848".

William Morris's *News from Nowhere* continues in the same vein. When Morris and his friend walk up the Thames discussing the amazing changes that socialism has wrought in Britain, Morris points to the barges bringing barrels of good claret from Bordeaux. With socialism has come peace and prosperity, symbolised by the fact that the ordinary Englishman no longer has to drink only beer.

Sober, reformist Labour party socialism has on the whole concentrated on bread-and-butter issues, discussing prescription charges and housing benefit more happily than large, Utopian speculations about what socialism might do for human nature. But that is a matter of political history, and has rather little to do with socialism.

Because the one successful Labour government this country has seen was the Attlee government that had to rebuild Britain after the second world war, the association of socialism and austerity has become pretty well unshakeable. Given that the British electorate seems inclined to vote Labour only when the economy is in deep trouble, a reputation for sobriety may be an electoral advantage. It is probably late in the day to recall that the most successful subsequent Chancellor of the Exchequer was Roy Jenkins.

Just back from the physiotherapist's high spot of the week, my nearest approach to divine rapture. I now look forward to my three-quarters of an hour on the couch twiddling the control knob on the magic-ray machine with the kind of anticipation I used to feel for a Friday night in the pub with the boys. Pathetic.

Last night, the pain in my shoulder was so constant and torturing that I might have considered exercising my neck on the end of a rope if I hadn't known that I would find relief this morning at the physiotherapist's hands. She, a lady as imposing and formidable in brain-power as in her 13-stone frame, laid me on a couch, hooked her hands under my chin and pulled out of my neck what felt like three inches of compacted spine and sprained muscle.

Sighs of bliss emerged unbidden from my lips as she released me from the Iron Maiden which was garrotting me and the pain waned and flowed away. "It's a miracle," I breathed. "No, it's not," she said, slapping me down with her usual briskness. "If you look at most of the miracles in the Bible you can see that the miracle is not in the laying on of hands but in the knowing what to do."

I asked if I might have achieved the same effect by toppling myself. She answered that my family might have

Claret socialists, if not champagne socialists, have a pretty good record. All the same it would be a pity to forget that the early 19th-century French socialist Charles Fourier thought that the task of socialism was "the rehabilitation of the flesh", and a pity if any of us forget that the point of socialism is not to make anyone rich, but to make everyone happy.

The discomfort people feel at the thought of Labour supporters financing the party by dining at the Park Lane Hotel is not only a muddle about the unpuritanical side of left-wing ideals. It has, if anything, even more to do with the thought that people who are wholehearted members of any sort of élite today will find it hard to put up with most sorts of equality tomorrow, and perhaps even more with the thought that if your life and tastes are too different from the taste of the people whose welfare you are concerned with, you won't understand them well enough really to help them.

This is an old fear, and one that did a lot to shape the ethos of the old Labour party. In the 1880s and 1890s the Settlement Movement took large numbers of Oxford and Cambridge undergraduates to the East End, where they lived in places like Toynbee Hall, doing social work in the community and teaching adult education classes.

The idea that inspired the founders of the movement was to infuse social solidarity in the upper middle-class students as much as to help the East End working class. It achieved the latter as well,

but perhaps its greatest contribution to social reform was producing Clement Attlee and Lord Beveridge, both of whom spent a good deal of time at Toynbee Hall.

Nobody thought solidarity meant that upper middle-class students should (or even could) go native and pretend that they were themselves members of the proletariat. But what made it easier to combine an ethos of fraternity with the reality of vast differences of income, education and taste was something we have lost.

Even though the East End was a pretty pagan place, and the Christianity that moved many of the settlement workers was a diluted sort of faith, it was still possible to talk about our equality in the eyes of God without undue embarrassment. The great social investigator Charles Booth was a disciple of the French philosopher Auguste Comte, but what he belonged to

was a positivist church, not a party cell or branch.

A world that has lost that kind of thing that allows a certain sort of moral or psychological equality to survive alongside economic and social inequalities. What kept Beveridge (who never did become a socialist in fact), Richard Tawney, Attlee and innumerable others hard at work was the thought that from those to whom much has been given, much will be required — including an intellectual and political lead.

Neither history nor anything else actually suggests that a taste for decent food and drink has been a great handicap to running a reforming government. The assorted Marxist tyrannies that have lately collapsed all over eastern Europe were certainly corrupted by greed, but it was the greed of frustrated characters on the make.

The idea that a principled contempt for the pleasures of bourgeois life is indispensable to left-wing politics is obsolete. It is a curious view that suggests that the only way to demonstrate a sincere belief that people ought to be rescued from miserable surroundings, dreary jobs or no job at all, cramped and ignorant lives, ill-health and financial insecurity is to go and suffer all these things yourself.

I find myself more persuaded by the opposite thought: I would rather be escorted to the future by someone whose enjoyment of the present suggests that the Promised Land will be lively, interesting and fun to live in, as well as more just than the here and now.

• Alan Ryan is a Mellon Fellow at the Institute for Advanced Study, Princeton, New Jersey.

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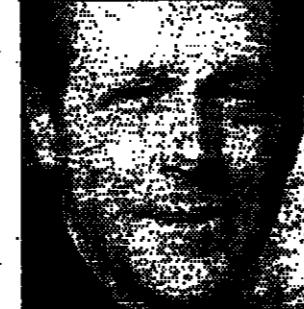
TV, radio

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Burdens on my shoulder

MID LIFE

Neil Lyndon
reveals the
indulgences that
scarred him
for life



finger is still contorted. When I lifted it withered crookedness as a reproach to those with whom I was playing that day, they still say, 18 years later, "Yes, yes; but what matters is that you dropped the catch."

No sooner had the shoulder recovered than I ripped it again, doing press-ups with my hands on the floor and my feet on the third step of the stairs (I had caught sight of this exercise in *Marathon Man*, performed by Dustin Hoffman's CIA brother, and, impressionable nitwit that I was, had thought: "That looks horrible, must try it").

In the last decade, I have put it out in any number of less glamorous endeavours: lugging infants or boxes of groceries, clipping hedges or lifting the manhole cover on the cesspit. A couple of weeks ago, I gave myself the severest bout of shoulder gyp in recent years by slipping on a step when I was carrying an armful of logs. What a progress: from shining prince of Lord's to crippled domestic menial in less than 20 years.

The exercises I attempt today are only those prescribed by the osteopath (for the back: another story) and the physiotherapist. After our last session, when I was preparing to go off travelling for ten days, she told me to take a 2lb weight with me and swing it gently in my hand, like a pendulum, to stretch out the twisted shoulder. I put

the weight in my shoulder-bag and toted the bag — where else? — on my shoulder. She and I examined the consequences of that imbecility in our session this morning.

The only amusement afforded by this shoulder was enjoyed by the security staff at Heathrow when I was checking in for a flight last week. The woman who examined

my shoulder-bag paid it. I felt, under attention, fingering through its compartments over and over until she fished out the 2lb weight and held it up with an expression of quizzical disbelief. "I can explain everything," she said. "She turned away and shouted to her colleague monitoring the x-ray screen: "You'll never believe it. Marge: it's a 2lb

weight." "A 2lb weight?" said Marge. "Yes, a 2lb weight." said the bag lady. Her colleagues all joined in, raising a chorus of Gilbert and Sullivan rhythms:

"Did she say he had a 2lb weight?"
"Yes, a 2lb weight."
"Did you ever?"
"No, never."
"Yes, a 2lb weight."
The physiotherapist has

told me to leave the weight at home when I go away again this afternoon. I am to take a hand-towel, roll it up and place it behind my neck in bed or in a chair. I shall probably get that wrong, too, and strangle myself. Barring miracles, it will be a blessed relief.

TOMORROW
Single Life by Lynne Truss

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Home is the colourful hero

GALLERIES

Alan Davie, one of Scotland's most admired painters, is saluted in his native land. Andrew Gibbon Williams reports

Inmersed in half a century of artistic output while preparing for the largest retrospective of his work, a single question perplexes Alan Davie. How did I manage to produce all this? Davie is now 71 years old and has always been prolific. But it is not the scale of his achievement which baffles; it is the astonishing variety of his own creativity. Where did all this come from?

Scotland is staging what amounts to a festival in honour of the figure widely regarded as her greatest living artist. The principal show at the McLellan Galleries in Glasgow, consisting in the main of large-scale oils, is supplemented by another in that city and two in Edinburgh, which explore Davie's activities as draughtsman, printmaker and designer of tapestries. Davie the musician — he is an accomplished jazz saxophonist — is being celebrated by a series of concerts culminating in a performance by the artist himself. An opulent new monograph consolidates the package.

Yet in spite of his Scottish brogue, still resonant after an adult life away from his homeland, for Davie Scotland is, artistically speaking, an inappropriate host. Protest as he might that his work is in the authentic Scottish tradition (Davie cites prehistoric standing stones, Pictish carving and Celtic manuscript illumination), it has nothing remotely in common with the francophile work of the Scottish Colourists and less with the mud-and-cabbage-patch preoccupations of their Glasgow Boy predecessors. Arriving as he does in an arts community still dancing on the bandwagon of Glaswegian new figuration, Davie appears as alien as a missionary saint.

Nor did Scotland play any very positive role in fostering his talents. A pre-war stint at Edinburgh College of Art, even then regarded as stiffly traditional, is not a fond memory. "They tried to convince me that art was something difficult; that it was something I had to learn. Absolute rubbish," of course," says Davie. Confronted by his first life model, which also happened to be the teenage Davie's

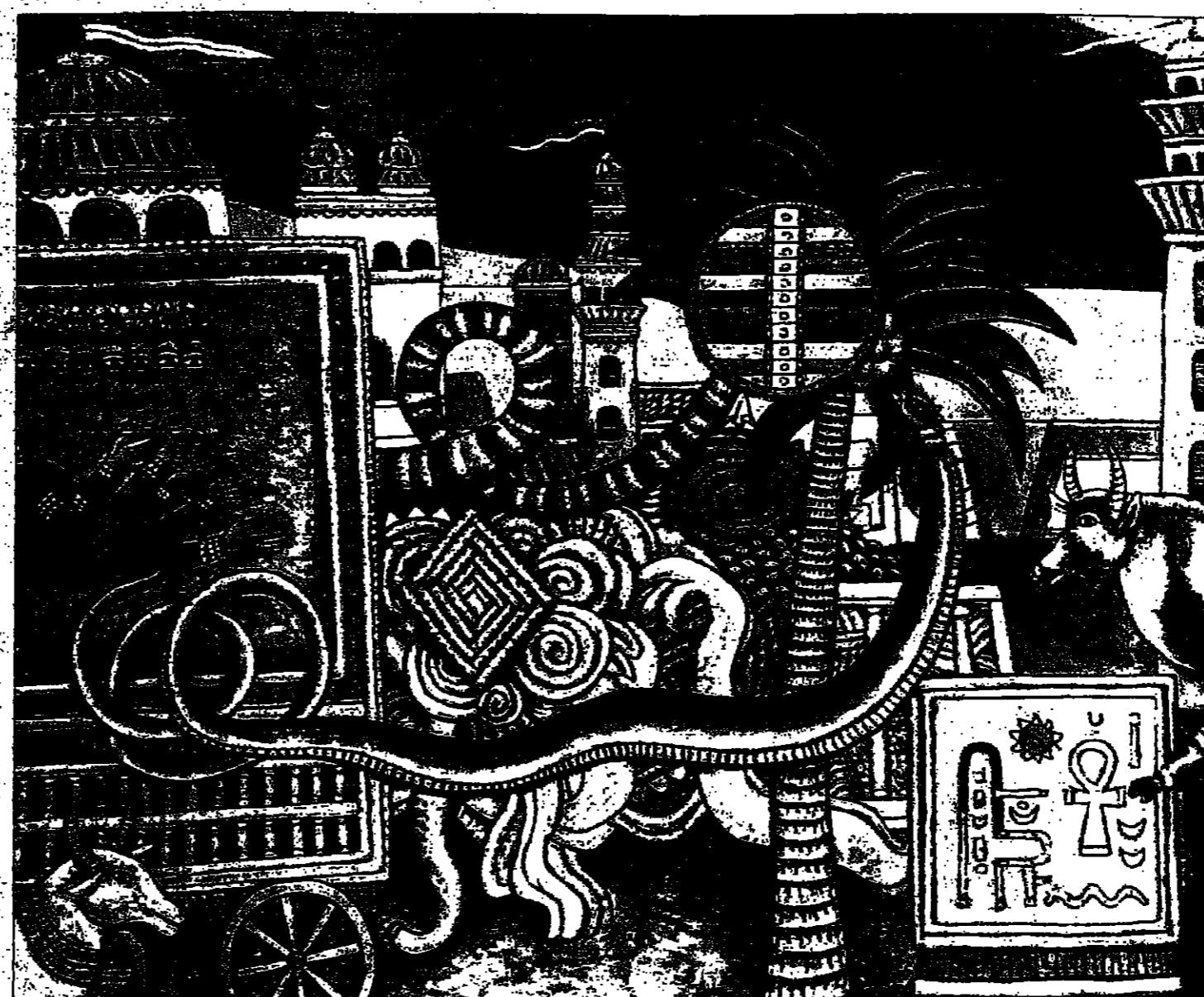
first experience of the naked female form, he rendered what he called his "psychedelic revelation" in brilliant colours and was soundly admonished for his efforts. Succour was found in the jewellery and ceramic departments.

Like so many of his generation, Davie's progress was impeded by war service, but he was already convinced that his intuitive approach was correct. However, it was only in 1948 when, taking advantage of a travelling scholarship held over from before the war, that he experienced at first-hand other artists operating in what he describes romantically as the "mysterious realm".

The first post-war Venice Biennale was full of kindred spirits — Chagall, Picasso, Miró and Klee in particular — whose dictum about "taking a line for a walk" corroborated his own natural inclination. In Venice he met Peggy Guggenheim. "Who is this guy? He must be an American," exclaimed the châtelaine of the Palazzo Venier dei Leoni. Davie's *Music of the Autumn Landscape* was promptly purchased and the glittering international prizes lay at his feet.

Chester Guggenheim, Davie came across Mrs Ernst's protégé, Jackson Pollock, and, however much Davie downplays the influence of all other artists it is impossible to imagine the fiery explosion of Davie's convincing abstract expressionist — the Davie whose dense, swirling visions every major collection from New York to Sydney was soon to feel compelled to acquire — without the kindling of Pollock.

At the McLellan Galleries, Davie's work of the Fifties still packs an impressive punch. The largest and most complex canvas, *The Creation of Man*, a glimpse into the primal soup if ever there was one, presents a frenetic battle of interlocking abstract shapes. Anthropomorphic elements abound and the picture exudes a pulsating sexual energy. This is not, however, the action painting which Pollock eventually espoused and by which Davie was disappointed when he visited the artist



Davie's *Mystical Vision with Cow & Goat*, 1985-1986: "Archetypal images recognisable to the human race as a whole"

in 1956, but an instinctively organised improvisation.

Those who are acquainted with Davie and assume this classic abstract period to be the quintessence of his art are in for a surprise.

For the marks, shapes and patterns — arrows, crosses, stripes and checkerboards — which were little more than nascent in the Fifties, were subsequently liberated from the often turgid impasto to form a free-floating symbolic language.

Davie has no qualms about borrowing from ancient cultures. Egyptian hieroglyphs, the eerie petroglyphs of South America, the bold designs of native American culture and — most recently — the rich, enigmatic decorations of the Jain 'sect' are unhesitatingly pilaged. Defending his vagueness about their precise meanings, Davie refers to Jung: "These are

archetypal images recognisable to the human race as a whole." All his work of the past 20 years is characterised by the bravura orchestration of these symbols.

Accounting for the popularity of Davie's work in the Sixties is not difficult: the sonorous colours, animated textures and brash happy-go-lucky attitude chimed in with the spirit of Chelsea's King's Road. Compared with the pictures produced since, however, it looks decidedly trite.

The most significant pictures in Glasgow date from the mid Eighties: *Meditation on Jain Cosmology*, more or less straightforward transcription though it is, shows Davie relishing the joyous Indian decorative impulse and creating his own visual conundrums from

source material. *Homage to Homo Australis Number 10* is an antediluvian metaphor for the sex act.

Davie is fond of quoting Eugen Herrigel's book *Zen in the Art of Archery*, about the archer needing to train himself spiritually to bypass consciousness, in order to hit the target. He does himself miss, but not often. At his best, he succeeds in "evoking the inexplicable", which he maintains is the religious purpose of all art, more profoundly than any other post-war British artist.

"Painting for me is just one activity among many which brings me into contact with the incredible forces of nature — it gives me a mystical experience," he says. For half the year this white-bearded artist lives on the Caribbean island of St Lucia where he practises underwater swimming. Across the

bay from his house two extraordinary phallic peaks, the plugs of extinct volcanoes, soar three thousand feet from the sea. Nature has created the perfect phallic vista for Alan Davie.

• Solo Alan Davie retrospective, at the McLellan Galleries, Sauchiehall Street, Glasgow (041-357 3929), until March 22.

• Alan Davie, at the Compass Gallery, West Regent Street, Glasgow (041-221 6370), until February 22.

• Alan Davie, at the Talbot Rice Art Centre, University of Edinburgh (031-650 1000), until February 29.

• Alan Davie, at the Edinburgh Printmakers Workshop, Union Street, Edinburgh (031-557 2479), until February 29.

• Alan Davie, with essays by Douglas Hall and Michael Tucker, is published by Lund Humphries at £35.

ARTS BRIEF Out of the East

THE Japan Festival may have closed but its aims will continue, thanks to a £500,000 donation from the Japan Festival Committee in Japan. The money, given to the UK Committee, will be used to commemorate the festival and promote its aims by enhancing understanding of Japanese culture among young people in Britain. Both committees are now considering how to use the funds, including, if possible, the continuation of the Japan Festival Education Programme. The Japan Society, whose centenary has been marked by the festival, will be associated with the arrangements to be made for following it up.

Bill's back

IN 1989, after an unhappy Hollywood experience with Burt Reynolds on *Breaking In*, Bill Forsyth mourned: "I used to love film." But now the Glasgow-born director of *Gregory's Girl* is bouncing back. His ambitious new project, *Being Human*, is being mounted by David Puttnam's Enigma Productions; shooting should begin in July. Six episodes stretch in time and place from the prehistoric world to contemporary Manhattan; Robin Williams is scheduled to appear in all of them.

Last chance...

THE British Museum is thought of in many ways, but as a repository of contemporary art and craft is seldom one of them. However, as the national collection of prints and drawings, it naturally keeps up to date and modern works are a vital complement to many other departments. Twentieth-century acquisitions are the subject of an elaborate recent catalogue, and of an amazingly rich and varied exhibition, *Collecting the 20th Century*, which closes on Sunday (071-636 1555).

TOMORROW IN LIFE & TIMES

Daddy's girl:
Natasha Richardson
interviewed

DANCE

To London, via Frankfurt

US choreographer William Forsythe, whose work receives a belated British premiere this week, talks to John Percival

Among choreographers working today, the American William Forsythe is reckoned to be one of the most formidable. But he says he became a choreographer at the age of 13 or 14 "just because I had to".

His school in New York annually joined with a professional children's choir to stage old Broadway musicals, and he was the only person prepared to arrange the dance numbers. He remembers taking a dance from a chewing gum television commercial. "I sort of accelerated it and fooled around. I had this girlfriend who was the daughter of a big Broadway star; she was my dancing partner because she had actually taken some lessons, and the two of us patched it together."

"The other one I did was a cha-cha number which was completely improvised and was apparently enough to make people stand up and yell. That's where it actually began."

Forsythe has come a long way since then. At 42, he has long been one of Europe's most sought-after choreographers, so busy that Covent Garden had to wait two years for his ballet *In the middle, somewhat elevated*. It was announced early in 1990, but will finally receive its British premiere on Thursday.

Forsythe did not take his first ballet classes until he was 19, at university in Florida. Soon he found himself back



William Forsythe: "I'm the most curious person"

in New York, studying at the Joffrey School and performing with Robert Joffrey's second company. In his spare time, he tried out ballets with his wife, working in their living room. He drove friends and colleagues to distraction, getting them to try out his ideas and talking endlessly about his intentions until an older dancer, "someone I admired very much", said: "Shut up: you're not going to be a choreographer until you dance first." I respected his opinion, and for three or four years I didn't dare talk about choreography. I just concentrated entirely on dance with a similar intensity."

That concentration took him to Germany to join the Stuttgart Ballet in 1973; three years later he took part in one of their workshop matinees for new choreographers. He mounted a duet *Urdicht*, to Mahler music; he says he "just pulled it together" from the notes he still had of one of the pieces he had done before leaving America.

On the strength of it he got commissions for new works from the Basle Ballet as well as Stuttgart, where Marcia Haydée appointed him one of three young house choreographers.

Over the next few years Forsythe averaged three premieres a year, an amazing record for a newcomer, especially as the invitations came from leading companies all over Europe and the Joffrey Ballet in America.

Forsythe did not take his first ballet classes until he was 19, at university in Florida. Soon he found himself back

RADIO REVIEW

Listen, the ears have no walls

There is no older and smugger cliché among radiophiles than the one about radio drama having the edge on television because the pictures are better. This is usually meant to imply that listeners have more imagination than viewers. What it really means is that radio can go to far more exotic places and employ casts of thousands for the price of a special-effects record and a man in the corner with two coconut shells and a tray full of gravel.

Comparing like with like, radio can still seem like the biggest spender in broadcasting. Consider the case of *Scarlet on Black* appeared to have the same name and voice, and that the plot was so impenetrable. Calder had to come on at the end and talk us through it.

Scarlet on Black may not have been perfect drama, but it was perfect radio — or rather perfect wireless, because for anyone of an uncertain age it brought back all those "put the gun down and don't be a fool" plays that waded away the Saturday afternoons and Sunday evenings of childhood. If only it had been raining outside, my contentment would have been complete.

Certainly it had more going

for it than last week's Monday Play on Radio 4, *Add Life to Years*.

This was an honest attempt to address the debate surrounding efforts to inject free-market enterprise into the National Health Service, and it dealt with a

community health education

team surrendered to the tender mercies of a marketing director charged with selling health care, rather than promoting it. The logic of both arguments was clearly stated, but you knew the thing was going off the rails as soon as the cast started speaking in italics. As medieval theatre had passion plays, modern radio has Issue Drama, its messages delivered in much the same ritualised manner, and its lessons picked out with fluorescent highlighters.

And what lessons were to be learnt from *What If...?* on Sunday of last week, in which Christopher Andrew wondered how the world would look now if Christopher Columbus had not turned right at Lisbon

PATRICK STODDART

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Two growth industries are emerging from a troubled society. Sarah Jane Checkland reports on police and bankruptcy auctions

PETER TREVOR

Hot items in a cold climate

Bidding is in progress and a forest of numbered cards waves in the air. A medieval icon of the Annunciation sells for a mere £36, while a plump buddha fetches £30, and a violin and bow £45. Buyers are whey-faced men in shell-suits and anoraks.

This is not the nightmare of London's gentlemen auctioneers come true, the art market rising from its recent rigor mortis and being taken over by *hoi polloi*, but the dowdy halls of Messrs Dowell Lloyd & Co Ltd of Putney. They are efficiently disposing of hundreds of stolen items never claimed by their owners.

There goes a girl's bicycle for £3, a car radio for £46. Someone pays £10 for a Metro Stoplock Steering Immobiliser, the gadget meant to stop theft in the first place.

This miscellany has been sent for sale by the Metropolitan Police, under the terms of the Police Disposal of Property Regulations of 1975. Here, "subject to certain conditions, property which has come into the possession of the police in connection with a crime will be sold if the owner is unknown".

"Sotheby's and Christie's must weep when they see how many people we get here," says the auctioneer, Alan Davies, the only person present in a suit. "We always have Rolls-Royces parked outside on the viewing day. People can't resist a bargain."

Gesturing at the crowd, Mr Davies expands immodestly on "the craft of auctioneering". Whereas the smoothies of Bond Street have things easy by being given a reserve price (minimum price he is prepared to take) by the vendor, Mr Davies believes that the sheer force of his personality has made these sales a success. Variety act quips can help oil the wheels. Mr Davies's favourite being when a potential customer trips over a carpet: "We are not licensed for dancing, madam," he usually says.

Much of the fare, it must be said, is distinctly unlovable, such as this week's sorry collection of wedding dresses, and a mangle in the corner. Last year Mr Davies somehow managed to sell a consignment of thousands of condoms, a car which arrived in pieces, and (in one of his separate Customs and Excise sales) a set of roulette wheels. "Everything has its price," he pronounces.

According to Mr Davies, once a bargain hunter has found Dowell

Lloyd, he or she always comes back. One convert returned when the bicycle he bought was stolen again, but most of those who attend "furnish their homes" courtesy of the Metropolitan Police.

Punters are not deterred by the eventuality that some of the mountain of hi-fi might literally have fallen off the back of a lorry during the course of its travels. "They buy not knowing whether they work," Mr Davies says.

Fire art and antiques are often recycled this way. Although the icon on offer was in fact a fake, its photographic image having been glued down on a worn-eaten panel, and the buddha was made of concrete, Mr Davies says antiques often do come his way. Last year he sold a gold and diamond necklace for £20,000. His last sale included silver by Tiffany and antique clocks. On the whole however, the quality items are directed to, and sold at, the fine art auction houses.

Auctions of these goods, whether at the fine art houses or by companies such as Mr Davies's, take place when the police have proved, often in court, that they are unable to identify the owners. Proceeds (apart from the auctioneer's 10 per cent cut) go to charity. Once an object has been sold this way, the original owner loses all rights.

Inevitably there have been occasions when the original owner spots his or her erstwhile possession coming up for auction. Eighteen months ago, for example, a set of valuable 19th-century Indian Company school drawings of fish was brought in for a valuation at Sotheby's. It turned out they had been in an album sold by the auction house in 1982 to a dealer, part of which was then stolen from the dealer in 1984. The dealer was unable to claim his property back, however, because in the interim the drawings had been sold on behalf of the police through the dealers/auctioneers Spink.

Sometimes convicted criminals may benefit from unclaimed goods. If the police cannot prove that goods in the possession of a particular defendant are stolen, and if no one else claims them, the logical owner is the criminal.

This is what happened after Operation Winnow, launched by Guildford police in 1988 to counter a spate of 50 burglaries in the Home Counties. Many of the

thieves, who has now completed his prison sentence, "He was given back over £1 million worth of goods," says Philip Saunders, the managing director of Trace Publications.

North Yorkshire police think the same thing may happen to the



Wheeling and dealing: regular bidders at a Dowell Lloyd auction of unclaimed stolen goods; all proceeds (minus the auctioneer's 10 per cent fee) will go to charity

Bailiffs' bargains

during the burglaries, and were tied up or handcuffed while their homes were turned over. According to detectives on the case, each burglary was meticulously planned. After the recovery operation, *Trace* magazine, which circulates images of stolen art to the trade, ran four pages on the "Guildford Antiques Haul" of no less than 2,000 items, and the antiques were put on show for the public to come and claim.

The haul was mainly the residue, such as chino prints, jewelry, the good stuff having already been resold [by the thieves], Detective Constable Barry Jutsum says. But because the police could not find owners for a large number of items, including a bronze bronze nude, a musical box and a gold and diamond brooch in the form of a dolphin, they were given to one of the thieves, who has now completed his prison sentence. "He was given back over £1 million worth of goods," says Philip Saunders, the managing director of Trace Publications.

North Yorkshire police think the

same thing may happen to the

biggest sale in Bond Street, this month is not quite a bankruptcy sale, but that description is close. The furniture and gadgetry from the late Robert Maxwell's flat is being turned down his claim and the objects were put on show for the public to come and claim.

That so many antiques should remain unclaimed may seem bizarre. Apart from having far more sentimental appeal than the average video, they are unique. One factor is the lack of co-ordinated information between the 57 police forces in the UK (owners may not know where goods have been found); another is often the insurers' desire to cut their losses after a reasonable search period.

Lenders can use the privately-funded Art Loss Register to circulate information on stolen goods,

and *Trace* magazine, but these can be of limited use when canny thieves either transport their loot smartly out of the county or country, or hoard them until the trail goes cold.

country following a visit from the bailiffs.

According to the Policy Studies Institute, in 1981 1.3 million households had problems repaying debts. By 1989 the figure was 2.4 million and rising.

Once again an entrepreneur is eager to seize on the situation. Peter Parfait is the author of the *Government Auction Handbook* (not a government publication) currently being advertised widely in the national press. "Please rush me... copies at £12.95 each" reads the order form. Applicants are sent a blue pamphlet containing the story of how Mr Parfait discovered the wonderful world of bankruptcy sales by purchasing £37,000 worth of equipment from his own bankrupt employer for a mere £3,150.

This is the glamorous face of failure, in these days of debts and forced sales. Far more frequent, however, are the squalid dispersals going on all over the

specialise in selling off bankrupt stock.

These auctions have been vexing the National Consumer Council (NCC), which is calling for stricter controls over "the growing army of private bailiffs".

"Almost anyone can set up in business as a private bailiff," Lady Wilcox, the NCC chairman, says. She deplores the fact that they are allowed to seize almost any possessions and sell them far short of their real value (bailiffs sell items with no reserves). Sob stories compiled by Citizens' Advice Bureaux include the car valued at £700 which was sold by bailiffs for £20. After bailiffs' expenses, the debtor found only £7.35 credited towards his debt.

In another case a woman's engagement ring was taken to cover her debt of £140. It was sold for £14. There are also fears among consumer groups that the poor prices reflect secret and profitable deals between bailiffs, auctioneers and traders.

Time, puffins, please

There may be only 19 islanders, but Lundy's new innkeeper will have 19,000 tourists to serve

At the end of last month, the Landmark Trust advertised for a landlord for the island of Lundy's only pub, the Marisco Tavern. It received more than 250 applications for what is, to put it mildly, an unusual job. Lying 24 miles off the north Devon coast, Lundy has a population of 19. The successful landlord (and partner) will run the kitchen and bar. More importantly, it seems, he or she will be required to brew 70 gallons of beer—"Old Light Bitter" and "Puffin Purge"—a week. By my calculations, this makes the islanders no ordinary regulars.

Despite the large number of applicants, however, only nine couples have been shortlisted for interviews, due to take place in Bideford on February 20 and on Lundy the next day.

"We had to weed out all the weirdos," Rebecca Morgan, of the Landmark Trust, says. "There is clearly a large group of the population who want to escape the world and all its troubles. These can be quite odd people. A number of chefs also applied. We have to be very careful about them. They have a tendency to scream and shout a lot."

Lundy is a vast granite slab in the middle of the Bristol Channel, can be reached only by the 300-tonne MS Oldenburg, which sails, tide permitting (five times in February), from Bideford and occasionally from Ilfracombe. When I visited the island last week, the sun was shining and there were only two other visitors,

an ex-RAF pilot turned artist and a woman from the *North Devon Journal*. It was one of the most beautiful and remote places I have ever visited. What is more, there wasn't a chef in sight.

Lundy is not always so peaceful, however. To be fair to the islanders and their drinking habits, more than 1,000 people a week visit Lundy during the holiday season (19,000 in total last year, wherein lies the biggest misconception about the job).

"Lifers are no good," John Puddy, the Lundy agent, says.

"We are all here to serve the public. The suitable person

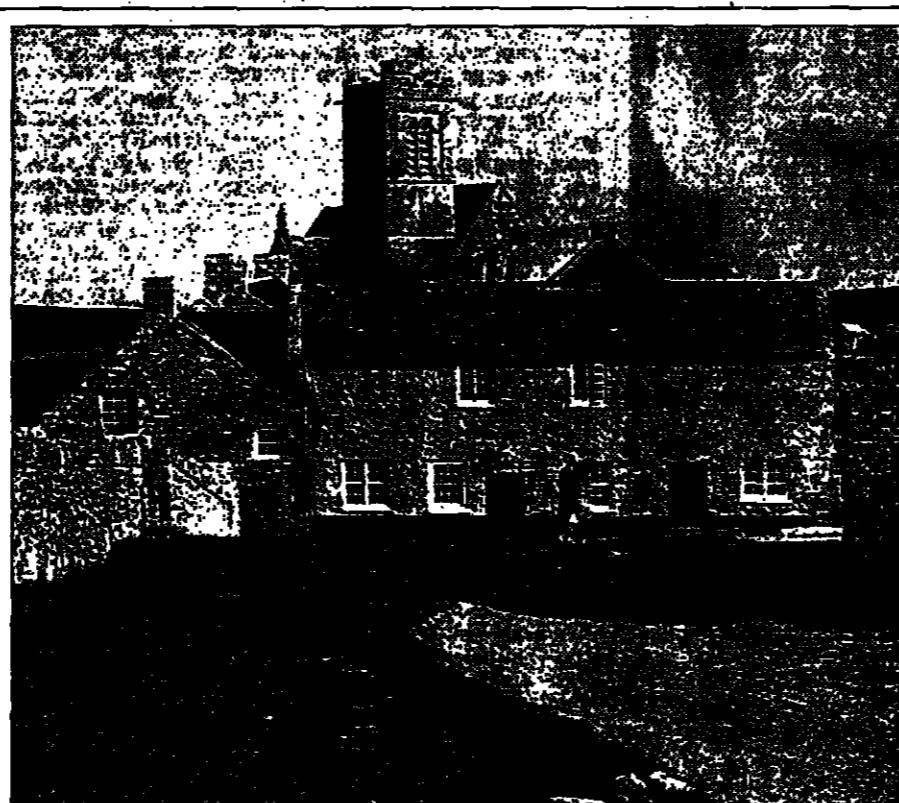
will have to be very much involved in the social side of the island, not only being part of a community, but of one that accepts visitors."

Lundy was bought in 1969 by the National Trust, which has leased it ever since to the Landmark Trust. The island was the first area in Britain to be designated a statutory marine reserve, and its famous flora (Lundy cabbage is found nowhere else in the world) and birdlife, particularly puffins (*Lunda* is Icelandic for puffin), attract a wide range of visitors. Two years ago the place was invaded by a marauding mob of twitchers, who came in search of a rare seabird, the murrelet.

"They were possessed, maniacally fighting each other to get off the boat first," John Alford, an islander, says.

"They didn't care what they were treading on, no respect at all for the environment. They even drink anything."

Not all visitors are so unruly,



Sit vac: nine are shortlisted to run the Marisco Tavern, home of Puffin Purge beer

The island, particularly out of season, attracts people wishing to get away from it all. Mr Puddy, who has been the agent for the past nine years, doubles up as a discreet therapist. "We know very little about the people who arrive," he says. "They could be drunks or solicitors. The island is a great leveller. We don't intrude on people at all, that is one of the attractions."

"Having said that, they want to know exactly what we are up to all the time. But then that's why we are here."

The successful couple will have to be very versatile. There are no plumbers on 24-hour call, all the electricity comes from an aerogenerator and two temperamental diesel generators, there are animals to be farmed, crops to be grown and, on the day I was there, 15 tonnes of calcified seaweed to be spread on the fields.

Lundy is a very safe place. Nothing is locked and there has never been any trouble, except on one infamous occasion five years ago when a

camper started stealing cameras. He was caught, and Lundy's "crimewave" made national headlines. The only other worry was when B-52s were instructed to jettison their bombs in the Bristol Channel should anything go wrong on their way to the Gulf. In the event the local MP was more concerned than the islanders.

Three miles long and one mile wide, and generally warmer than the mainland, the island has obvious appeal. In addition to its rich birdlife there are Soay sheep, goats, ponies, seals and thousands of rabbits, currently all afflicted by myxomatosis (sadly forcing rabbit pie, a tavern specialty, off the menu).

The island can also boast the remains of a 13th-century castle constructed by Henry III and paid for by the sale of rabbits: a Victorian church built by the Reverend Hudson Grosvenor. Heaven in 1896 (prompting the island to be known, somewhat inevitably, as the Kingdom of Heaven);

disused lighthouse (The Old Light); a collection of beautifully restored farmhouses and dwellings, including the tavern; and a grand if incongruous Georgian country house.

The tavern is blissfully basic free from the juke boxes that have ruined Bideford's pubs. The walls are covered with lifebuoys from boats wrecked around Lundy's coast. A wooden balcony overlooks a piano and a large wrought iron cinema chandelier from the 1920s hangs from the ceiling.

Whoever gets the job of landlord will have to cope with many things, but none more frightening than the sight of islanders occasionally jumping off the balcony and swinging on the chandelier, such is the potency of the local brew.

"Makes you tummy," whispered one of them as I was leaving. What's more, there are no licensing hours on Lundy. It could be some job.

JON STOCK

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Getting to know the Euro-boss

The Times is launching a contest to find the secretary of the year

Christopher Tugendhat, the chairman of Abbey National, "One of our main aims is to get across the idea that this is a profession in its own right. The British secretary is rarely given credit for her brains and achievements."

The problem, she says, is also not so much with salaries, nor with bosses. "At the top level bosses tend to be very sup-

The British secretary is rarely given credit for her brains'

positive. It is lower down in middle management where secretaries are not used

properly. The main difficulty is that all too often the word conjures up 16-year-old hobby sofas with typewriters. No-one thinks what would happen if every secretary in the country did not turn up to work for 24 hours."

LIZ GILL

Entries are invited for *The Times* European Professional Secretary of the Year Awards 1992, sponsored by *The Times* with the European Association of Professional Secretaries and the Industrial Society.

The awards are designed to find secretaries in the UK with practical language skills, working knowledge of the

single market and its impact on the UK, and an understanding of the cultural differences both business and social — between EC countries.

The winner of the award, organised by the London Secretary and Office Management Show, will be presented with a £4,500 two-week holiday for two in Bangkok, courtesy of Holiday Inn Worldwide, with flights by Swissair, and a complimentary place on the Industrial Society secretarial development course of her or his choice, worth up to £500.

Five runners-up will each receive a two-night weekend for two, worth £750, at the Holiday Inn Crown Plaza Geneva, with flights by Swissair.

How to enter: Entries must be presented on the official entry form, obtainable from Blenheim PEL (081-742 2828) quoting *The Times* European secretary of the year competition. Callers will be asked to give their name, job title, company name and address, and work telephone number. Alternatively, entry forms can be obtained from Blenheim House, 630 Chiswick High Road, London W4 5BG, giving details as outlined above. Entry forms should be returned by the closing date of Friday, March 6, 1992.

Finalists will be invited to the Holiday Inn, Mayfair, on Wednesday, March 18, for skills testing and an interview with the judging panel. The winner and runners-up will be presented with their awards at noon on the first day of the London Secretary and Office Management Show on Tuesday, March 24, at the Barbican Centre in London.

The competition is not open to employees of Blenheim Exhibitions and Conferences Ltd or employees of Times Newspapers.

Sound

Nice experience if you can get it

A father and son reveal the delights and trials of an early foray into the working world

In my day, we had work. These days, there is precious little of that around, so young people had better make the most of the next best thing: work experience. For the youngsters, it is comforting to climb on the nine-to-five treadmill, knowing that they are stepping off after ten working days. For us parents, it is a preparation for the day when we see our child engaged in mortal combat with the job market.

By contrast, I went straight from my final exams to an office run by a man whose way of expressing annoyance was to chuck a filing cabinet out of the window. I had to be at my desk by 9.30 sharp or risk following the trajectory of the filing cabinets.

Under the stress, my hair fell out. I escaped only by having a prolonged bout of glandular fever. If I'd been prepared for what the world of employment had in store, I might still have locks like Michael Heseltine.

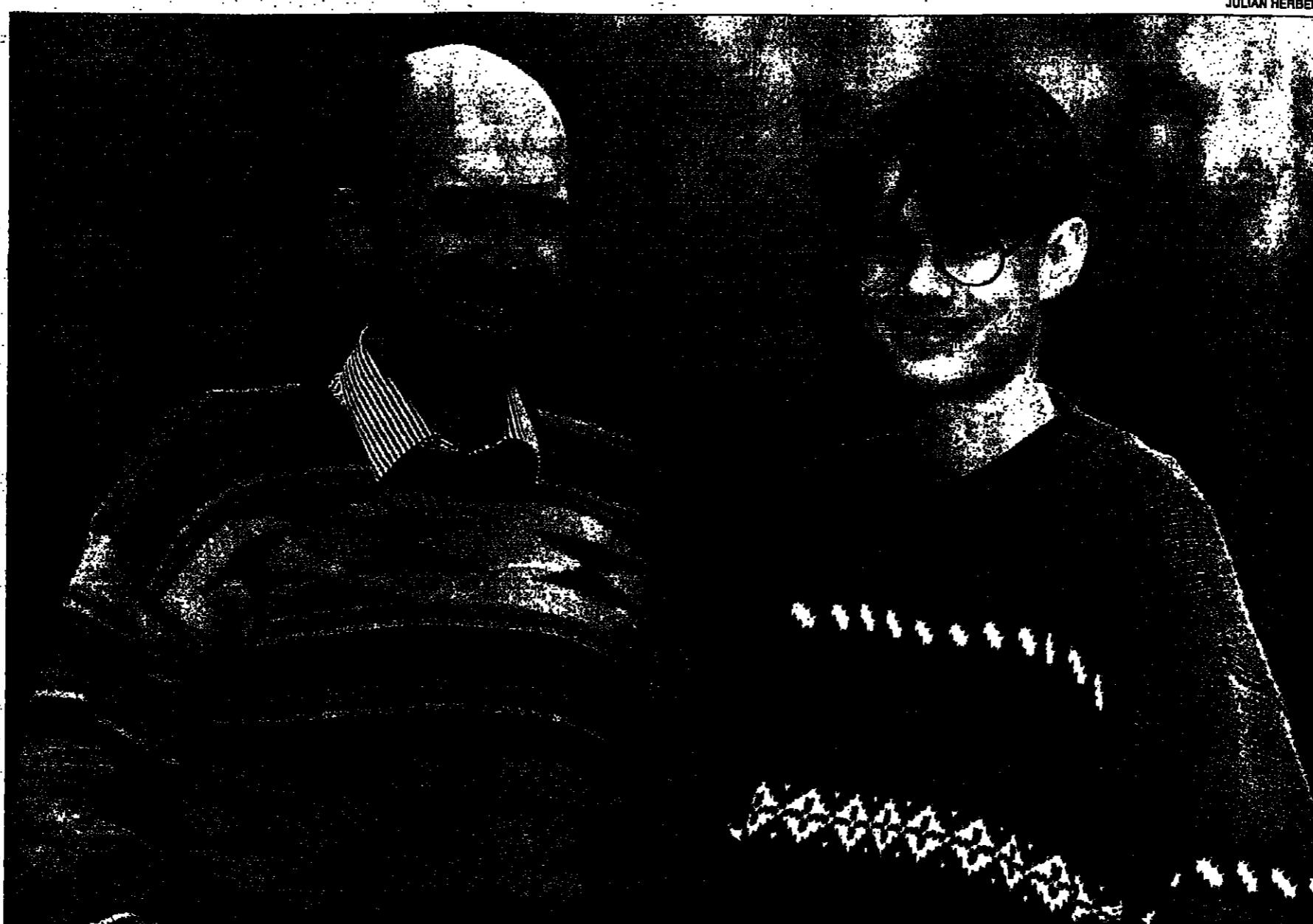
Schools are now desperately hunting around for agreeable employers. The bread-and-butter placements — bakery chains spring to mind — are easy; big companies are happy not only to take on pupils, but also to turn up at the school to attract recruits.

Anyone attempting a more off-beat trade or profession finds it much harder to slide a juvenile foot around the door. It is a case of: nice work experience, if you can get it. Peter, our 15-year-old, who is a pupil at Forest Hill school in south-east London, learnt this when he chose graphic design for his work experience.

An art school lecturer, who I thought would certainly know of a few spare placements, told me that he was really pushed to find any opportunities for his own degree course students, let alone anything for a humble GCSE-level lad. One newspaper art department that I tried had no time for escort duties, another lacked even a free chair.

Fortunately, we had a tip from friends who had been through all this the previous year. A model-making studio, Wizzmo Workshop (not its real name), had let their son spend his working fortnight on its premises.

Peter rather liked the sound of mucking around with artistic materials. Several months before he was due to start, I went with him



Worlds apart: Jonathan Sale was desperate to escape work experience in his youth; his son Peter found his design studio a hard-working but happy place

on a recce. It turned out that Dave, one of the Wizzmo partners, was a football fan who had just moved into the catchment area of the team that Peter supports. He agreed to have Peter on the payroll or rather, bearing in mind the voluntary nature of the work, the roll.

The fact that Dave was off with flu on Peter's first day and the other partner had forgotten all about the unknown 15-year-old, was itself a valuable learning experience. I know of people who have turned up for promised jobs to discover that the management, and consequently their contract, have been boozed out overnight.

Once that was sorted out, Peter was faced with a daunting first task: making a cup of instant coffee. He didn't like to admit that in our house this drink is about as

'Under the stress, my hair fell out. I escaped only by having a bout of illness'

unlikely as bacon in a rabbi's fridge, on the grounds that it nullifies the homoeopathic remedies that we all take. Still, he managed to sneak into a corner and read the instructions.

His last task was to hold out his hand. Although it was not part of the deal, Dave kindly slipped him a tenner at the end of the first week

and £20 at the end of the second week. That meant it counted as not just work experience, but work as well. And his hair didn't fall out.

JONATHAN SALE

Wizzmo, a design and model-making studio situated between Blackfriars and Waterloo in south London, makes things for advertising, including puppets, statues and props.

On my first day I was terrified because although I had been there before for an interview, it had been many months ago, and I was worried that the employers might have forgotten about me.

When I arrived I told the receptionist that I was doing work experience with Dave, my contact.

one in our house drinks it.

For the rest of that day I worked on an advertisement for Farmer's Weekly which involved shaping pieces of clear material in the shape of drops of liquid. These were to be placed around a pig to remind farmers to vaccinate their animals.

My first impressions of my placement were that the other employees were nice, and helpful, but they ignored me. I was too shy to ask them questions about the work I was doing. When I had finished what they had set for me, I would wait for them to notice I had done it.

For the remainder of that week I continued working on the drops for the advert and getting the lunch. I made friends with the rest of the staff and Dave eventually

'The highlight of my day was going to buy lunch for the staff and myself'

A man called Charlie who was Dave's partner said that Dave was ill and that I should have rung to remind him. He also said that he had no work for me and I thought that I was going to be sent home until he suddenly remembered who I was. He then told me to make a cup of coffee, something I had never done before because no

came in, so things improved rapidly. Even so I was getting bored with the same task. What I found out about work that week was that because I left Wizzmo between 5.30pm and 6pm and got home from 6pm to 7pm, I always felt tired. After a meal, I would have an early night and this meant I had very little free time whereas when I was at school I had lots.

The highlight of my day at work was going to buy lunch for the other members of staff and myself. I would go round taking everyone's orders, then run down to the local sandwich bar. After queuing for ages I would receive rolls, crisps, cakes and drinks (most of which were mine) and have to work out who gave me money.

Other jobs I did included helping make several statues, made out of foam, plaster and polystyrene, sweeping the studio (several times), clearing a disused room and making cups of tea and coffee.

The atmosphere in the studio was happy but everyone was hard working. I had to work hard when I was helping Charlie, as sometimes one mishap could ruin a whole statue, but at other times I could relax a bit.

My best day was just before the end of the two weeks. A video had to be picked up from another studio and instead of sending a courier, Dave asked me to collect it. He showed me on a map exactly where to go and I wrote down the important road names. I set off, and took the tube to Tottenham Court Road, changing on the way. When I walked out of the station and looked for a street sign for about an hour, I realised that I was not going to find it, so I rang my dad to direct me from his A-Z. This may not sound like a good way to spend a morning but it was good to be trusted and to do something useful on my own.

I feel that I gained a lot of knowledge about the world of work. Firstly I found it a lot more demanding than I had expected. I learnt how to design and make several items and how to use different sorts of equipment. I also learnt how to work in a team.

For a future career I would not mind doing something similar to Wizzmo but I did not like the way that they had no guaranteed source of income as they did not always have work to do. However, sometimes they would get lots of work which means lots of money. I don't think that the experience has changed my attitude to school. I know that I wouldn't be able to get a job like that without working for qualifications first.

PETER SALE

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In tune with the whole family: David (left), Clare, Katherine, Mary and John Gaunt, playing together in the garden

Sound of much music

More and more parents believe that music is vital to a child's education

Katherine Gaunt is 12 years old and plays the flute and the euphonium. Her sister Clare, aged 11, chose the clarinet and more recently added the tuba. David, aged nine, has opted for the cornet. Christopher, aged three, has yet to decide, although his father makes a wry guess that drums will be his choice.

John and Mary Gaunt believe that music is an important element of their children's development. "We want them to enjoy it," says Mr Gaunt, a lecturer in biochemistry at the University College of North Wales, Bangor, who plays the clarinet. "And I believe that a musical upbringing is important for their subsequent enjoyment of music."

That view is shared by an increasing number of parents. The Yamaha Music Schools in Britain offer a junior music course for four to six-year-olds. Last autumn 1,000 children enrolled for it, double the previous year's figure. About 7,000 children of all ages regularly attend the courses, which teach keyboard, piano and organ.

The number of children taking the graded examinations of the Associated Board of the Royal Schools of Music has also increased dramati-

cally: at least 90 per cent of candidates are children. Applications for the next exams in March are up by 10,000 on this time last year and some candidates have been told they must wait until the summer to be tested.

The piano remains easily the most popular choice — almost 144,000 candidates out of a total of 367,000 took piano grades in 1990. Those taking the board's flute exams almost doubled between 1980 and 1990 (see table). A saxophone exam was introduced in 1986, when 1,212 candidates were tested. By 1990 the exam was divided into alto and tenor sax sections, for a total of 4,160

Total number of candidates (of which approximately 50 per cent are schoolchildren) who have taken Associated Board exams, including theory:

	1970	1980	1990
Piano	92,853	133,554	143,831
Violin	16,434	36,071	36,748
Flute	2,982	17,655	30,133
Clarinet	5,861	20,468	28,187
Trumpet	1,826	7,308	7,673
Harp	28	107	674
All instruments	164,775	326,383	367,263

Source: Associated Board of the Royal Schools of Music

we had let him. We said no because it would be a shame to see talent wasted."

Graham Ellis, the director of music at Birkenhead School, says there will be a waiting list for the first time due to the increasing demand for music lessons. More than 200 boys out of 850 in the senior school take lessons.

"Our piano timetable is the biggest, followed by the clarinet and flute," he says. "We have a number of violinists, although it has not been as popular an instrument as we would hope. It is difficult in the early stages."

However, he has noticed it becoming slightly more popular, almost certainly due, he feels, to Nigel Kennedy.

The power of playing with others often helps youngsters to maintain their enthusiasm. Katherine, Clare and David Gaunt, and their mother Mary, all play in the Beaumaris and District Silver Band, near their home on Anglesey, Gwynedd.

"We enjoy the band, because it's something we can do as a family," Mrs Gaunt says. "I think that is why the piano can be limiting, because it is more difficult to play with others."

LYNNE GREENWOOD

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PAIN RELIEF WITHOUT PILLS

The power of ibuprofen — one of today's most effective painkillers — is now available for the first time without prescription in a rapidly absorbed, penetrating gel.



FOR THE RELIEF OF BACKACHE, RHEUMATIC AND MUSCULAR PAIN, SPRAINS AND STRAINS.

FRAGRANCE-FREE COLOURLESS NON-GREASY

AVAILABLE AT YOUR PHARMACIST

House of the future

Energy conservation need not cost the earth. Rachel Kelly reports

Go to Denmark, and you will find cheap, environmentally friendly houses are a penny. Stay in this country, and your best bet is Longwood, in Huddersfield, where a rare example is being built.

Steve Slator and Bill Butcher hope to finish their "green" house next month. It will go on sale for £105,000, about £5,000 more than it would have cost without energy-conserving features. Mr Butcher estimates that in 15 years the house will have paid back the extra investment.

"The house would be deeply unctuous in Denmark," says Bob Lowe, the principal lecturer in the school of the environment at Leeds Polytechnic, who has been involved in the project since it was a gleam in Mr Butcher's eye two years ago.

"In Denmark they have building regulations that enforce more energy-saving features. In this country such a house is exceptional."

The methods used are tried and tested, Dr Lowe says. If you insulate buildings to these levels, energy consumption is correspondingly low. Emissions of carbon dioxide, which contribute to the greenhouse effect, are half the level laid down by building regulations.

The price and availability are atypical. "There have been other houses like this in the past, though admittedly very few," Dr Lowe says. "Eight similar houses were built by Salford city council in the late 1970s and early 1980s. It was so impressed by them that it decided it would build all its council homes like this, and it built about 200. Then it stopped building homes. There were also 100 similar houses built in Milton Keynes."

In both cases, the houses were in the public sector. Progress in the private sector has been restricted to individ-

uals with money to spare and a penchant for energy-saving gadgets who have built their own homes.

"It is the first case I know of, speculative house-building of this sort at an affordable price," Dr Lowe says. "This is being built by two builders sticking their necks out for a house that will halve the carbon dioxide output of a normal house."

Why does Mr Butcher think he can sell his house? There is a market, he believes, for an affordable, energy-efficient home. "We have been careful not to price the house out of the market. You can add more and more energy-saving features, but you have to be careful not to do too expensive."

Mr Butcher has forgone optional extras such as a heat-

recovery system, which transfers heat extracted from warm air leaving the house to the incoming fresh air, and solar panels, which supplement heating and hot water systems.

Through their first prototype house, the builders hope to test the demand. They will build more this year if they find a market exists.

The construction industry does not cater for affordable, energy-efficient homes, Dr Lowe says. "In a heavily

Green visionaries: Bill Butcher (left) and Steve Slator

recovery system, which transfers heat extracted from warm air leaving the house to the incoming fresh air, and solar panels, which supplement heating and hot water systems.

Nor has the industry mastered the simple changes required by an environmentally friendly house. "Though the technology is simple, sometimes builders do not understand the issues," Dr Lowe says.

Builders could help by being more like Mr Butcher and Mr Slator, Mr Butcher trained as a quantity surveyor

and feels passionately about conserving the environment. "This is the house of the future," he says. "This is the way that developing countries will have to go. Consumption of energy is now so high that fossil fuels are running out."

The marketing of such homes is tricky, too. Unless you are an expert who appreciates the finer differences between low-emissivity double-glazing and a condensing boiler, a visit to the house will reveal nothing exceptional.

"By selling this sort of technology to your granny, in a house like this it doesn't show. And there is no widely accepted system of badges to reward energy efficiency at the moment," Dr Lowe says.

The government could help, Dr Lowe says, by introducing tougher building regulations including better training for builders, and demanding a system of energy tax which would make people aware of the environmental effects of energy consumption.

Builders could help by being more like Mr Butcher and Mr Slator, Mr Butcher trained as a quantity surveyor

and feels passionately about conserving the environment. "This is the house of the future," he says. "This is the way that developing countries will have to go. Consumption of energy is now so high that fossil fuels are running out."

The house features a high-efficiency gas condensing boiler, which extracts more of the heat from the flue gases and uses 15 per cent less gas for the amount of heat generated than the standard boiler, so only half the heating energy should be used.

Built on a 500 sq m site, the house is south-facing and therefore warmer, and has been built into the hillside so that the ground acts as insulation.

Most of the windows will be on the south side to take maximum advantage of the sun, and they will all be double-glazed with "K" glass, which has an extra copper film to reflect heat back into the room. This will reduce

heat loss by 40 to 50 per cent.

Even with this glazing, the windows are still the Achilles heel. The heat loss through them is eight times the rate through the walls.

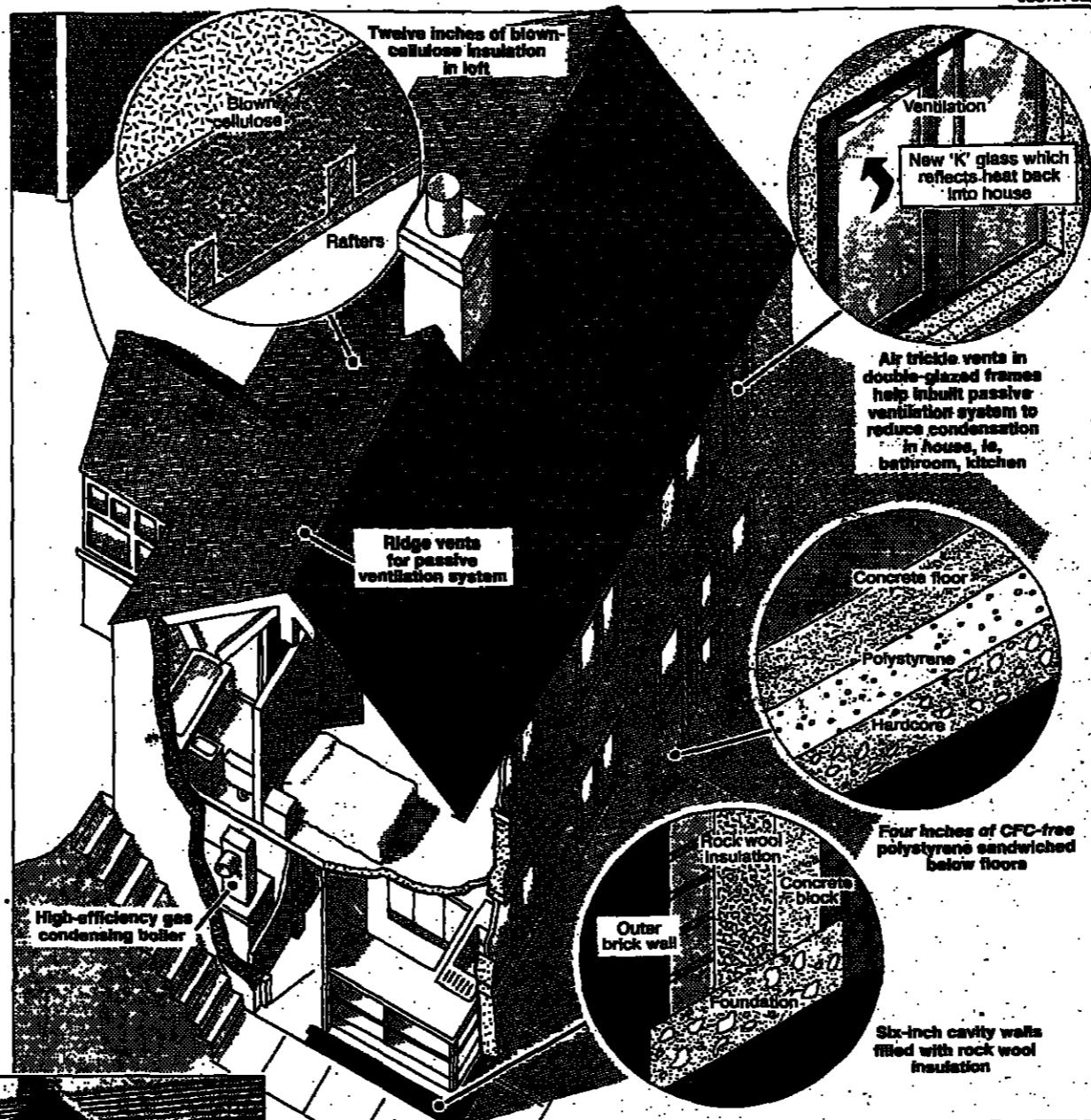
Loft insulation will be 100 per cent above building regulations, and the walls and floors will be three times better insulated than the standard new house.

There are six rather than the standard 2in cavity walls, filled with rock wool. The loft has 12in of non-irritant blown cellulose, made from recycled newsprint. Below the floors there is a 4in layer of CFC-free polystyrene. A ventilation system will avoid condensation. Other features include a porch at the front door and a lobby at the back to cut heat loss.

The success of these measures is confirmed by the National Home Energy Foundation, which awards a home energy rating from one to ten. The Longwood house will achieve almost the maximum.

The construction industry does not cater for affordable, energy-efficient homes, Dr

Lowe says. "In a heavily



Building up sex appeal

A separate 'den' for the man of the house is the newest sales gimmick

A British builder is using sex appeal to sell homes. Berkley Homes is building four houses with what it describes as "man appeal" in Oxted, Surrey.

No, they are not filled with pornographic videos or murals. Their chief manly virtue is a "den", furnished with a snooker table, above the garage.

After considerable research, Berkley found that this was the single feature a man most appreciated in his home. "Men liked the idea of having a games room separate from the rest of the house," says Peter Owen, the managing director of Berkley Homes (Surrey and Thame Valley).

Having a triple garage is also a hit with the men, Mr Owen says. "A garage means that a car or motorcycle enthusiast can use it to enjoy his hobby without encroaching on the rest of the family."

But what about cries of sexism? After all, the houses provide no special rooms with "woman appeal".

"A good point," Mr Owen says. "But the man's room is an extra room. We're not saying we should convert an existing room that a woman is using, but we're giving a whole new room. I can only say that if the man is out of the way, his wife can keep the drawing room and other rooms for herself."

In other words, she can stay in the kitchen? "No, I'm not saying a woman's place is in the kitchen. But it has always been a bit of a hit with men," says Mr Owen.

been a fact that a beautiful kitchen will help sell a house to women."

Man appeal has already sold Berkley's show house to a family with four sons aged between 16 and 22. "There's no doubt that they were attracted by the snooker room," Mr Owen says. Three other houses are under construction, one of which has been reserved.

To keep their wives happy, Mr Owen says, the bathrooms and kitchens are "as good as any you'll find".

Sexist or not, Mr Owen's views are confirmed by a survey by Stern Studios, which sells small flats in London and has analysed the different priorities of men and women when buying a property.

Women, Stern Studios found, rated location in a safe area as their most important priority in choosing a flat. They gave this a score of nine, while men rated it at only three.

Decorative style was more important to women than to men. Women gave decor five out of ten, compared with the men's two.

Overall, both men and women rated accessibility as the most important factor in choosing a home. But a man's chief priority, according to the survey, was the investment potential. Men gave this seven out of ten, women only four.

RACHEL KELLY



Role play: for him, a games room above the garage

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LAW TIMES

Mass rally for justice

Proposed changes in legal aid have angered solicitors. Frances Gibb puts their case

The first national protest rally by lawyers in legal history takes place tomorrow when nearly 2,000 solicitors assemble at Westminster Central Hall in London. Never before have so many lawyers, united in a single cause, gathered in one place. They will register their anger and concern over government proposals for a system of fixed fees for legal aid work in magistrates' courts.

Anger is not too strong a word. Anthony Edwards, a legal aid lawyer in east London, put it forcefully last week at a special general meeting of the Law Society. Solicitors' frustration, he said, had "turned to fury".

Mr Edwards told the meeting that Lord Mackay of Clashfern, the Lord Chancellor, had said his proposals were in the interests of the client. Mr Edwards said: "We do this work for the benefit of the client, and we expect the Lord Chancellor, as head of the judiciary, to uphold that principle above us all. That he is not doing so has turned our frustration to fury."

The fixed fees scheme, to replace the system of payment by hourly rates in magistrates' courts, has provoked the first threats of what amounts to industrial action by the legal profession. Solicitors in Devon, Teesside, Southampton and Crawley, West Sussex, have threatened to boycott the duty rota scheme in courts and police stations where they advise suspects.

In Barnsley, South Yorkshire, all 18 solicitors on the rota scheme have withdrawn, leaving suspects thumbing through telephone directories at night to find a lawyer.

The issue may seem like a trade union one. Solicitors dislike the proposals, it could be said, because they will earn less from legal aid. The proposals, however, affect more than solicitors' pay. They go to the heart of access to justice for ordinary people when they most need it. Lawyers feel the criminal legal aid scheme itself is on the line, and they have wide support for that view among their conveyancing and commercial law colleagues.

Wealthy City firms charging £250 an hour, which have ridden out the recession with little difficulty, are not at the centre of this dispute. The lawyers affected are at the sharp end, the ones who leave their beds to deal with often



For the defence (from left): Ivan Geffen, Henry Hodge, Michael Fisher, Danny Simpson and Alastair Logan at the Law Society

difficult, drunken or abusive clients. Nor are they doing the work because they cannot get better. Most legal aid lawyers do the work because they are committed.

That dedication has had its price over the years. Legal aid lawyers have endured steadily falling rates of pay in recent years. The hourly rate for criminal work, outside London, is £42, compared with £55 for family work and £75-£90 an hour for other civil work. From next April, Lord Mackay

'We work for the client. We expect Lord Mackay to uphold that principle'

ANTHONY EDWARDS

has just offered a rise of 3 per cent – originally 1 per cent – in criminal legal aid fees, dismissed by the Law Society as "derisory". Then there is the "delay" in payment. Solicitors wait several months for their fees. Most legal aid firms operate on bank overdrafts. A senior partner said, say, 40, will be lucky to take home £30,000. Many earn far less.

The proposed scheme would pay

solicitors a fixed fee according to the kind of work, the idea being that in some cases they may earn more, in others less. However, the result, they say, will be catastrophic for those clients who need more care and attention on their cases. In some cases, solicitors carry a £200 loss.

In an unprecedented line-up this week, leading defence solicitors involved in recent miscarriages of justice split out the likely effects.

Danny Simpson, who represented Mark Braithwaite, one of the Tottenham three, said solicitors had the choice of doing the work at an unacceptable standard or going bankrupt. The scheme would mean a 30 to 50 per cent drop in his firm's income.

Mr Simpson said: "We won't be around to help people such as Mark Braithwaite and Winston Silcock or the Guildford four because we won't be around at all."

Michael Fisher, who represented Paul Hill, one of the Guildford four, predicted: "Lawyers in their thousands will cease to practise criminal law. The proposals are a recipe for further injustice."

He would say it is inevitable.

Ivan Geffen, involved in the Birmingham six cases, said: "It is not solicitors threatening to withdraw their services. It is the Lord Chancellor making it impossible for us to provide them."

Alastair Logan, a tireless cam-

paigner for the Maguires and three of the Guildford four, said: "The message is that we as a profession are not prepared to accept the lowering of our standards implicit in these fees. It is not a question of our saying, 'You are not giving us enough money'. We are not prepared to take a case on if we cannot do it properly."

Henry Hodge, who acted for Silcock, said: "It is the ordinary cases, the ordinary people who will suffer."

'Lawyers in their thousands will cease to practise criminal law'

MICHAEL FISHER

Such cases, says Charles Ely, of the Law Society, could be "your brother picked up in a pub brawl and charged with assault, or your mother who inadvertently put a joint of meat in her bag and was charged with shoplifting".

Solicitors will wait to hear what Lord Mackay has to say before deciding on a boycott. The threat is real enough but the impact would be minimal. The Law Soci-

ety has already made clear it does not condone withdrawals and Lord Mackay knows that solicitors, like doctors, will not take large-scale action that hurts the client. In brief, solicitors have no industrial muscle.

Fixed fees have already come into the crown court, but with significant differences. They cover 60 per cent not 90 per cent of cases committed for trial; they do not include advocacy time; they limit the maximum loss in any case to £60; and they pay for the crucial listening of tape-recordings of police interviews separately.

Fixed fees in magistrates' courts also include bail applications, so if a solicitor has to spend the morning making a bail application to a crown court judge, he loses a morning's work.

Lord Mackay rightly wants to curb criminal legal aid costs, but if in so doing he drives out practitioners, the cost in terms of miscarriage of justice is incalculable. The Law Society wants the issue referred to the Royal Commission on Criminal Justice. Lord Mackay is unlikely to concede that, but he has not explained why he cannot amend the scheme along crown court lines.

If Lord Mackay goes ahead, lawyers cannot stop him. If, however, their warnings prove correct, and many abandon the scheme, it will be too late to restore the service. The losers will be not solicitors, but the public.

PATRICK STEVENS

• The author is a practising solicitor

How safe are your secrets with your lawyer?

Can you trust a lawyer with secrets? The theft of a highly confidential document from the office safe of the solicitor acting for Paddy Ashdown, the Liberal Democrat leader, raises the question of how safe lawyers are at keeping secrets.

Can clients really entrust their darkest secrets to their solicitor in order to obtain advice, or should they keep quiet?

Keeping clients' affairs confidential is enshrined in the professional rules of solicitors but there are no guidelines on how the secrets should be kept.

Andrew Phillips, Mr Ashdown's solicitor, thought he was being

prudent in keeping his note of the discussions with Mr Ashdown in an envelope in the office safe.

With the benefit of hindsight, it is easy to say that in any burglary the safe would be a prime target, and that anything really sensitive should be dealt with differently. But what are the options?

The obvious starting point is to discuss the matter with the client as soon as he or she raises the sensitive topic. Often lawyer and client agree that nothing will be committed to writing unless it is absolutely necessary.

If it is necessary to open a file and keep detailed notes, there are several possibilities.

David Crawford, a solicitor with

considerable experience of dealing discreetly with the affairs of the rich and famous, favours codes. He says: "I open a file in the name of Mr X and the name of the client is then known only to me. Any notes taken will not contain full names and are carefully written so that they can be interpreted only by me. Even my secretary does not know who the client is."

Even the tabloids would clearly be hard-pressed to make use of a statement such as: "X admitted to a long-standing affair with Y."

Mr Crawford also points to the risk of disaffected staff making

use of sensitive information if they know of its existence. "The safest way is to make sure that only you know about the file."

If there are many names involved, the use of coded notes demands prodigious feats of memory by the solicitor.

One subtle refinement is to keep notes that are deliberately wrong. For example, in circumstances such as Mr Ashdown's, a note would be made that Mr Ashdown was concerned about a friend of his who had been involved with a woman. If the note fell into the wrong hands it might arouse suspicion but there would be little of substance to go on. Another variation is to record

the interview as an informal discussion about the plot for a novel. Many politicians write books and it is hardly unusual for the legal aspect to be discussed with a solicitor.

Again the risk of damage is much reduced.

Many solicitors will certainly be anxiously reviewing their office security systems in the wake of the Ashdown case. The stakes are high. As one solicitor said last week: "What is the measure of damages if you negligently let somebody's gossipy secrets out all over Fleet Street?"

PATRICK STEVENS

• The author is a practising solicitor

Back to the City

RICHARD Thomas, who has been the consumer affairs director at the Office of Fair Trading, is returning to a City law firm. He is joining Clifford Chance as its first director of public policy practice, building up a new area of work, described by the firm as "governmental practice", in which Mr Thomas will be involved in helping clients whose businesses interact with government.

Mr Thomas is a good choice. He has wide experience in governmental and political circles. He began his career as a solicitor in a City law firm and later played a key role in developing the legal work of the Citizens' Advice Bureau. He was with the National Consumer Council for seven years before the Office of Fair Trading and was a member of the Lord Chancellor's civil justice review team that reported on ways to cut costs and delays in civil courts.

He is a keen supporter of the Plain English for Lawyers campaign.

Better ways

THE Hansard Society Commission, which wrote the 1989 report, Women at the Top, emphasising exactly how few senior women law-

yers there are, is considering how improvements can be made to the law-making process in England and Wales.

The commission will look in particular at the European Community report on sexual harassment and his involvement in the drafting of acts of Parliament, questioning whether they are readily understood.

Tough lot
BAILIFFS, like banks and insurance companies, seem to need the right address. Rosendale C.B., a firm at Clive Stanbrook, Lancashire, has as its registered office "Hardman Mill", Liverpool. It is one area in which it collects debts, so it is obviously important not to be known as a soft touch.

Euro-link

EUROPE has come to the Bar, or so it seemed last week. The opening of Stanbrook and Henderson, a new joint set of barristers' chambers was attended and much praised by Lord Templeman, the pro-Europe law lord. The merger is created from Roger Henderson's set at 2 Harcourt Buildings and Stanbrook & Hooper, from

Brussels, making a Euro-set of 37 barristers offering a range of English and European legal expertise.

Stanbrook & Hooper caused a stir last year when it set up in Chancery Lane. This was because its Brussels members, including the barristers, were in partnership with one another, as allowed under foreign practice rules.

The arrival of the set on the Bar's doorstep raised a question mark over the rules on partnerships with lawyers in Britain. The new arrangement causes no problems, however, because it was carefully cleared with the Bar beforehand.

Clive Stanbrook QC, said at the launch last week: "The rising tide of EC law has now reached everyone from Fishguard to Folkestone and from Berwick to Bodmin."

Italian prize
EDITING the *Industrial Relations Law Reports* is a worthy ambition for any employment lawyer. Editing the *Industrial Relations Law Reports* and being voted European Man of the Year by the 15,000-member Italian Club of Women might well be beyond the fantasies of even the most ambitious legal expert. This has been the achievement of Michael Ru-

binstein, who co-edits the *Equal Opportunities Review* for good measure.

He earned his Italian accolade through his authorship of the European Community report on sexual harassment and his involvement in the drafting of the EC Commission's recommendation and code of conduct on how to combat sexual harassment inside and outside the workplace.

Mishtaken
SOLICITOR John Hulme is trying to live down a reputation for getting drunk and setting fire to police cells. His

local newspaper in Shropshire, the *Border Counties Advertiser*, confused the solicitor with the defendant in a case at Oswestry magistrates' court and reported: "Mr

Hulme said he was very drunk and could not remember what actually happened, but it was not his intention to cause any damage to the cell."

Fortunately, the magistrates knew him and were not similarly confused.

Top jobs
HERBERT Smith has announced that Edward Walker-Arnott will become the senior partner when the present incumbent, John Rowson retires in May 1993.

Mr Walker-Arnott at present leads the firm's company and commercial practice, and rose to public prominence during the heady mid 1980s days of mergers and acquisitions frenzy, not least for his role in the House of Fraser takeover battle, which earned him a censure from trade and industry department inspectors.

Always strong in litigation, the firm expects this experience will prove invaluable when solicitors' rights of advocacy before the courts increase.

Mr Rowson is expected to become the Master of the City of London Solicitors' Company and president of the City of London Law Society.

A director
PHILIP Naughton, QC, is a director of CEDR and not the director as described in last week's Law Times.

SCRIVENOR

Why printouts were hearsay

THE decisions of magistrates' courts that computer evidence is inadmissible as proof that people have not paid their poll tax may have led some observers to agree with Bertie Wooster in P.G. Wodehouse's *The Mating Season*: "I have said it before, and I will say it again, all magistrates are asses. Show me a magistrate and I will show you a fathead."

Critics should be directing their scorn at one of the more ridiculous aspects of our legal system: the law of evidence.

Lord Wilberforce explained in 1977 that a rule is none the less capable of being a rule of law, though no reason can be given for it. However, it is rare to have a whole area of legal rules whose object and effect is to frustrate the promotion of justice. The law of evidence habitually prevents courts from learning what everybody but a lawyer would consider relevant to the decision. Computer evidence in poll tax cases is a perfect example of the mischief.

Why should a court decide

similar, but different, provisions defining the circumstances in which computer evidence is admissible in criminal proceedings. The cases decided under that act show the fine and difficult distinctions involved in the rule against hearsay.

In a 1988 Court of Appeal judgment dealing with two such cases, Mr Justice Steyn said: "In each case prosecuting counsel, defence counsel and the judge fundamentally misunderstood the meaning of these statutory provisions in their application to the admissibility of computer printouts. It is our impression that this misunderstanding may not be restricted to those who were involved in the two appeals before us."

Following an article in the *Criminal Law Review* by Professor J.C. Smith in 1981, the criminal courts have distinguished between computer evidence resulting from information supplied by human beings, which is therefore hearsay, and information supplied by a computer that has automatically recorded an event. So in 1990 the Court of Appeal held that

computer records of telephone calls made from a hotel room were not hearsay and were admissible, because the machine automatically recorded those events without human intervention. The court concluded that such computer evidence is no different in principle from the evidence of photographs, tape-recordings and intoximeter breath-test machines, all of which are admissible.

The magistrates who have rejected the admissibility of computer printouts in poll tax cases were probably correct under existing law in regarding such evidence as inadmissible hearsay. The councils employ human beings to provide to the computer information about payments made, so any printout is a hearsay statement of what has and has not been fed into the computer by the operators.

The law of evidence mitigates its rigours by permitting courts to take judicial notice of obvious facts. So Sergeant Shee confidently submitted in 1845 that "the court will take judicial notice that rain falls from time to time". Parliament will soon act to make sure that computer evidence is admissible in poll tax cases, and should also take notice that the law of evidence itself is as Jeremy Bentham complained more than 150 years ago, "rotten to the core" because it fails to apply the principle, "Let in the light of evidence. The end it leads to is the correct end of justice, rectitude of decision."

• The author is a practising barrister and a fellow of All Souls College, Oxford

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The Litigator's Complaint

As the recession deepens, we hear more complaints by litigation partners that they are carrying the entire partnership on their backs. During the long economic boom it was the litigation department which was regarded within most firms as being among the least profitable. Now the tables are turned.

It is said that a partnership implies mutual support among the partners through good times and bad. During the 1980s commercial property departments produced large profits and were seen as the litigators' bread and butter. Litigation departments now are only doing the same for property partners. If the non-contentious partners didn't complain when they complained more than their share, why should the litigators raise this issue today?

There must be a genuine reason. After all, litigators are not inherently more self-respecting than their colleagues. One explanation would be that they are usually in a minority within their practice. When the larger, non-contentious side of the practice suffers, therefore, the burden is thrown on relatively few shoulders. (If, on the contrary, it is the litigation side which is not doing so well, then the contentious partners are less likely to feel it.) Another explanation is that litigation is not a specialisation which experiences the kind of slump that can hit, say, property. Litigators tend to make a solid contribution to their firms through thick and thin. It is not for nothing, therefore, that they sometimes feel a niggling sense of grievance.

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A new look at adultery

Should adultery still be grounds for divorce? The legislators should reconsider, says Chris Barton

In the wake of last week's revelation of Paddy Ashdown's affair with his secretary, it is time for the government to reconsider enacting the Law Commission's proposals to abolish all existing grounds for divorce, including adultery.

The Liberal Democrat leader and his wife have stayed together after the "brief" affair, five years ago. But in 1989, the latest year for statistics, 28 per cent of divorces were granted on grounds of adultery. That obligatory annual reading, *Judicial Statistics*, the lawyer's *Witsden*, shows adultery as second only to "unreasonable behaviour" for every year since 1974. In 1989 unreasonable behaviour was the ground for 48 per cent of divorces.

This has more to do with the fact that unreasonable behaviour and adultery effectively allow for immediate divorce by consent, a good escape route for adults, but one now seen as inimicable to a proper consideration of the children's needs. Under the Law Commission proposals adultery could not be a cause.

Although adultery was once known as "criminal conversation", an American woman recently caught *in flagrante* was probably surprised to know that, under Wisconsin law, she was theoretically liable to a \$10,000 fine. Surveys on marital infidelity show that half our own married population might be expected to applaud the liberality of the old Scottish courts, which waived the death penalty in favour of whipping, the pillory or banishment.

Did those spouses who were the subjects of the surveys understand the question? Evidence given by solicitors to the Committee on One-Parent Families suggests that some of them may not have done. There were misunderstandings. Familiars falling short of copulation, performing while standing up, intercourse on fewer than



A French view: Gerard Depardieu, and Josiane Balasko as the secretary-mistress, in the film *Trop Belle Pour Toi*

three occasions, and sex without a resulting pregnancy, have all, apparently, been known to emerge during "matrimonial" interviews.

In fact, it remains English law that, although consummation requires at least one experience of a penetration "ordinary and complete, not partial and imperfect", adultery is achieved by the mere appropriate interaction. In 1923, in a case in which the husband and "the woman named" had failed to manage even that, Lord Birkenhead sympathised with the "unfortunate circumstance that she (the wife) should thus be tied for life to a dangerous, violent and homicidal lunatic".

Although the choreographical details remain theoretically extant, the normal reality today is one of undefended divorce proceedings and a signed confession statement. However, before the introduction of judicial divorce in 1857, when an act of Parliament was necessary to dissolve a marriage, a wife had to show that her husband's adultery was "aggravated". In 1840 a Mrs Battersby was one of the four who succeeded and she made it only on account of his cruelty, bigamy and ensuing transportation. Where the wife was the "guilty" party, a House of Commons functionary, the "Ladies' Friend" saw to it that the legislating husband made some

provisions. Peter Mahon, MP for Preston South, pointed out: "Fidelity in marriage implies much more than the abstention from adultery." In the other place Lord Goodman said: "You may have adultery as a ground but you must not make a meal of it."

The upshot was that the act supposedly requires the petitioner to prove that "she" — in 1989, 60 per cent more adultery decrees were granted to women than to men — finds life with the respondent intolerable.

Unfortunately, the eventual wording failed to make clear whether the in容忍ability had to arise from the adultery, as opposed, say, to some completely extraneous habit such as cracking one's knuckles, and it was five years before the courts finally decided that the two requirements should be treated as independent of each other. Today, since the Matrimonial and Family Proceedings Acts of 1984, the more important question is whether, for maintenance purposes, sexual

intercourse can constitute "conduct such that it would be inequitable to disregard".

The principle in the old ecclesiastical courts was that adulterous wives should be "fed with the bread of affliction and with the water of adversity". In one modern case, the wife who fired a shotgun at her husband had her share cut by a mere quarter, whereas another woman, who accepted a half share in the marital home while having an affair, was judicially decried as "impudent" when she tried to hang on to it.

In another decision, the Court of Appeal said a young lover should contribute more to the household finances — and that the wife should seek supplementary benefit. The law seems to be moving away from Mr Justice Vaisey's adage that "it takes three to commit adultery".

After the election, perhaps the government will at last respond to the Law Commission's proposals.

© The author is a principal lecturer in law at Staffordshire Polytechnic

Today's reality is undefended divorces and a confession

provision for his former wife, however fallen.

The most recent statutory overhaul, the Divorce Reform Act 1969, tried to establish that physical infidelity is not necessarily a sure sign of irretrievable breakdown. During the passage of the Bill through the House of Com-

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Do lawyers miss the revolution?

Despite their heavy investment in computers, many law firms are barely scraping the surface of what information technology (IT) can do for them, according to a new report. The survey, by Touche Ross, the management consultants, will be published in full in *The Lawyer* newspaper later this month. It shows that many law firms, particularly those of medium size, have mastered the computer's clerical and secretarial functions but have not yet come to grips with some of its more sophisticated facilities.

Gary Simon, a Touche Ross partner, says: "Most of the interest in computers among lawyers has been focused on the back-office systems, but the real grossing areas lie elsewhere."

One of the survey's most teasing features is that most firms believe they are ahead of competitors in investment and use of computers. However, Touche Ross says, firms should concentrate on how well they are keeping up with their clients. On this there is less confidence. Just over a quarter of firms think they are ahead of their clients. The rest face the prospect of trailing their clients in what their computers can do.

This is likely to be a handicap. Clients now appear very interested in the use of electronic mail and document exchange with their legal advisers.

Graeme Low, the acting head of IT at Nabarro Nathanson, agrees that the leading law firms have already moved into a new era with their computers.

He says: "Law firms characteristically have made a big investment in word-processing systems, particularly Wang systems, in recent years. But that was 95 per cent concerned with the internal running of the practice."

"The new horizon is the use of computers to communicate with clients, and the leading firms are now changing their systems to deal with that."

The likelihood is that at some point in the future clients will actually choose their lawyers, either being equal, on the basis of computer compatibility. Eventually, perhaps such compatibility may become a prerequisite for entry into a "beauty parade", or selection competition. More immediately, the Touche Ross survey states, firms have to persuade

more of their fee earners to use their computers for straightforward word-processing tasks.

Information technology experts such as Mr Low would love to see a greater take-up of existing facilities but, Touche Ross says, firms are confused about what a "terminal on every desk" would be used for and how the benefits could be measured. None the less, more than 40 per cent of firms expect that "front-office systems" will "definitely" become vital to a firm's ability to compete and a similar number that they will "probably" become vital.

Although there is a widespread feeling that computers have become essential to the lawyer's work, there is a split between those who want to press on with more applications and those who



Gary Simon: the wrong focus

consider that that they have progressed as far as they wish.

In part, this is a feature of a generation split. Older partners are often unconvinced and younger partners enthusiastic about what computers can offer.

More immediately, however, is the problem that many firms feel too hard-pressed financially to invest much further in hardware. Two-thirds of firms think that a "terminal per desk" would contribute to the fee earners' productivity, but the cost of achieving such a goal is a powerful deterrent in present circumstances.

There is no question that the really big spenders on IT are the largest firms, but this does not mean that smaller firms are being entirely left behind. Some niche firms, for example, will be the most sophisticated users of computers in their particular field.

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House of Lords

Law Report February 11 1992

Court of Appeal

Coroner entitled to admit statements

Regina v HM Attorney General for Northern Ireland and Another, Ex parte Devine

Regina v Same, Ex parte Breslin

Before Lord Keith of Kinkel, Lord Oliver of Aylmerton, Lord Goff of Chieveley, Lord Jauncey of Tullichettle and Lord Browne-Wilkinson
[Speeches February 6]

A coroner had been entitled to admit in evidence at an inquest statements made to the police by three soldiers who had shot and killed their armoured terrains.

The House of Lords dismissed consolidated appeals by the applicants, William Hugh Devine and Joseph Breslin, fathers of the deceased, from the Court of Appeal in Northern Ireland [Sir Brian Hutton, Lord Chief Justice, Lord Justice Kelly and Mr Justice Higgins] who, on December 6, 1990, had dismissed appeals by the fathers from Mr Justice Carswell. The judge had dismissed the fathers' applications for judicial review of the verdicts at the inquest.

Rule 17 of the Coroners (Practice and Procedure) Rules (Northern Ireland) (SI 1980 No 199), as substituted by rule 2 of and the Schedule to the Coroners (Practice and Procedure) (Amendment) Rules (Northern Ireland) (SI 1980 No 44), provides:

"(1) A document may be admitted in evidence at an inquest if the coroner considers that the attendance as a witness by the maker of the document is unnecessary and the document is produced from a

source considered reliable by the coroner.

"(2) If such a document is admitted in evidence, the inquest may, at the discretion of the coroner, be adjourned to enable the maker of the document to record in writing, rule 17 would obviously have been irrelevant, and it could have been open to the coroner to admit them in evidence, although the evidence was not in the circumstances heard.

Mr Reginald Weir, QC, Mr G. McCarron (Breslin) and Miss A. M. McGuinness (Devine) (all of the Northern Ireland Bar) for the applicants, Mr F. P. O'Brien, QC, and Mr Stephen J. Shaw (both of the Northern Ireland Bar) for the second respondent the coroner.

LORD GOFF said that the father's case had been that the coroner had had no power to admit the statements without the permission of the coroner.

However, under rule 9(2) of the 1983 Rules, a person suspected of causing the death was not compellable to give evidence at the inquest.

The coroner had accordingly held that the soldiers were not compellable witnesses and admitted the statements specifically under rule 17, they being in each case produced by the police officer to whom they had been made.

In agreement with the judge and the Court of Appeal, his Lordship could not see that rule 17 had the effect of excluding evidence that might otherwise be admissible, even if it was in documentary form.

In particular, he could not see that it excluded the power of a coroner, who had historically not been bound by the strict rules of evidence applicable in litigation, to admit hearsay evidence other

wise proved simply because it had been reduced to documentary form.

The statements had been proved to have been given to the police officers by the officers in question. Had they not been forgotten that an inquest was not an adversarial process but an inquisition designed to ascertain the true facts?

His Lordship was satisfied that "unnecessary" in the 1983 rule 17(1) should be given a broad and sensible construction and that the attendance of a witness could properly be regarded by the coroner as unnecessary where he considered that there was no need for the witness to attend for the purpose of giving oral evidence.

That could, of course, be so where the witness's oral evidence would, if given, be formal and uncontroversial.

But it could also be so in other circumstances, for example where the witness was available to attend the inquest but his attendance would be futile as he was not compellable to give evidence or was otherwise incapacitated from doing so, for example by insanity, or, *a fortiori*, where he was not available to attend, for

On that basis, "unnecessary" would not be wide enough to cover circumstances in which the maker of the document was not available to attend to give oral evidence.

He might, for example, not be available because he was dead or ill or overseas, or because if summoned to attend he would not be compellable as a witness, or because by reason of supervening insanity he would be incapable of giving evidence.

In none of those circumstances could the coroner, on that ap-

proach, invoke rule 17(1) to admit documentary evidence.

That construction would lead to a remarkable limitation on the powers of coroners. It was not to be forgotten that an inquest was not an adversarial process but an inquisition designed to ascertain the true facts.

His Lordship was satisfied that the inquest was not relevant, and it could have been open to the coroner to admit them in evidence, although the evidence was not in the circumstances heard.

As it was, the statements had been recorded in writing, but it would be absurd that that fact should have rendered such evidence inadmissible. The conclusion of the courts below was fully supportable on that basis.

The coroner, however, had in fact purported to admit the evidence under rule 17 and the question arose whether he had been justified in doing so. The judge and the Court of Appeal accepted that he had not been, on the basis that rule 17(1) was confined to cases where the evidence was formal and uncontroversial.

But it could also be so in other circumstances, for example where the witness was available to attend the inquest but his attendance would be futile as he was not compellable to give evidence or was otherwise incapacitated from doing so, for example by insanity, or, *a fortiori*, where he was not available to attend, for

On that basis, "unnecessary" would not be wide enough to cover circumstances in which the maker of the document was not available to attend to give oral evidence.

He might, for example, not be available because he was dead or ill or overseas, or because if summoned to attend he would not be compellable as a witness, or because by reason of supervening insanity he would be incapable of giving evidence.

In none of those circumstances could the coroner, on that ap-

proach, invoke rule 17(1) to admit documentary evidence.

Only in that way could the first two paragraphs of the 1983 rule 17 be sensibly reconciled as forming constituent parts of the original rule 17(1).

Such a construction was consistent with the evident intention to enlarge the coroner's powers under the new rule 17 and avoided the manifest absurdity of construing the new rule as intended to impose a new and substantial fetter on his power of the kind that would otherwise result.

Lord Keith, Lord Oliver, Lord Jauncey and Lord Browne-Wilkinson agreed.

Solicitors: B. M. Birnberg & Co for John Fahy & Co, Strabane & McCarney, Strabane & Keohane, Strabane (Devine); Treasury Solicitor for Crown Solicitor, Belfast.

Homily criticised

Regina v Turley
burglary imposed in May 1991 at Knightridgeway Crown Court (Mr Assistant Recorder J. Curran).

MR JUSTICE LAWS said that the assistant recorder in passing sentence made remarks to the prisoner amounting to some three pages of transcript. Without wishing to be critical, it must surely be necessary for the court to enter into a homily of that kind.

Deducting indexation allowance for tax

Smith (Inspector of Taxes) v Schofield

Before Lord Justice Glidewell, Lord Justice Beldam and Lord Justice Nolan
Judgment February 6

To calculate the capital gains tax payable on a gain accruing on the disposal of assets acquired before 1965 and computed in accordance with "straight line" growth, apportionment, the indexation allowance was to be deducted from the amount of the post-1965 time-apportioned gain.

A special commissioner allowed that appeal holding that section 80 of the 1982 Act, as amended by section 68 of and Schedule 19 to the Finance Act 1985, permitted the allowance to be deducted only from the post-1965 gain computed after time apportionment. The Crown appealed.

Section 86(4) of the Finance Act 1982 provided that the indexation allowance would be set against the unindexed gain so as to give the gain for the purposes of the 1979 Act.

Section 86(2) defined the unindexed gain as "the amount of the gain on the disposal computed in accordance with Chapter II of Part II of the 1979 Act".

The purpose of the tax applied only to disposals occurring after April 6, 1965. For that reason alone, giving the words of section 86(2) their normal meaning in the context in which they appeared, the taxpayer's argument was to be preferred.

The Crown was given leave to appeal to the House of Lords on undertaking to pay the taxpayer's costs.

The taxpayer acquired antiques in 1952 for £250. She sold them in 1987 for £15,800. Her gain fell to be apportioned between the "straight line" growth prior to the Capital Gains Tax Act 1979, the amount of the gain attributable to the post-1965 period of ownership being the chargeable gain.

The taxpayer appealed against

The case turned on the construction of section 86(2) and (4) of the 1982 Act. Did the unindexed gain defined in section 86(2) against which the indexation allowance was to be set under section 86(4) mean the gain computed before or after the time apportionment provisions of paragraph 11 of Schedule 5 to the 1979 Act were applied?

Did "gain" mean the whole gain or the chargeable gain? It could mean either according to the context.

Section 86(2) defined the unindexed gain as the amount of the gain on the disposal computed in accordance with Chapter II of Part II of the 1979 Act.

Mr Andrew Park, QC, and Mr Stephen Alcock for the taxpayer; Mr Nicholas Warren for the Crown.

LORD JUSTICE NOLAN said that the outcome of the case would depend on the liability of others who had unindexed assets before April 6, 1965, disposed of them between 1965 and 1988, and whose gains were to be computed on the time apportionment basis.

As to disposals after April 1988, the law was changed by section 96 of the Finance Act 1988.

Scots Law Report, p13

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For further information in complete confidence, please contact Sallie Hawkins on 071-405 6062 (081-540 9709 evenings/weekends) or write to her at Quarry Dougall Commerce & Industry Recruitment, 9 Brownlow Street, London WC1V 6JD (confidential fax no. 071-831 6394).



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commercial property experience gained in a medium to large firm. With 3 to 6 years' post qualifying experience and an English Practising Certificate held for at least 3 years, it would also be advantageous to have either trained in a Scottish legal office or have dual qualifications.

The position represents a first class opportunity to play a crucial role in the growth of this key department and the continued success of the firm. The rewards will be excellent, including real prospects of partnership.

Lawyers whose attitudes and ambitions match those of our client should apply in writing, enclosing a CV to:

Anne Harding,
ASA International - Legal Division,
Ludgate House, 107-111 Fleet Street,
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Leeds

Significant change has taken place at the Legal Aid Board with the aim of improving the quality of service provided. The process of change is on-going and the future promises to be interesting and challenging for everyone involved.

We are now looking for a solicitor to join our Leeds office to assist the solicitor section and the legal section in achieving our aims.

You will be a member of our solicitor's team continuously liaising with other sections of the office, making decisions on legal aid applications, attending Area Committees, quality controlling legal decisions and training staff on legal topics. The civil litigation workload of the office is extremely varied and will form the largest part of your work.

Two years experience of civil litigation is essential, and the ability to handle a large workload is a pre-requisite. Good oral and written communication skills are essential as you will be expected to communicate with organisations and people at all levels. You should have a methodical approach to your work, an ability to pay attention to detail and be able to organise and prioritise your workload.

The post is open for job sharing and applications from solicitors who wish to work on a part-time basis will be given serious consideration.

The Leeds office is situated in the centre of town and is well served by public transport facilities. If you wish to discuss the job further, please telephone Gillian Stacey, Area Manager, on 0532 442851.

If you think you have the right qualities and experience, please send a CV and covering letter, quoting ref LAB/8, to the Personnel & Training Department, Legal Aid, Greencroft House, 12 Roger Street, London WC1N 2JL, to be received no later than 28 February 1992.

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The Department of Law is responsible for the teaching of a wide range of law courses covering the main subjects of English, Scots and English law as well as various branches of United Kingdom law. The successful applicant will be expected to contribute to the teaching programme and to undertake research.

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Further particulars in writing with 5 copies of CV (or, if posted abroad, one copy in a format suitable for photocopying) and the names and addresses of two referees to refer to the Personnel Officer, The University, Dundee DD1 4HN, tel 0382 23181 ext 4015. Please quote reference EST/1697/21st March 1992.

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22 Buckingham Gate
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We would like to hear from you if you have:

- undertaken risk analysis and can demonstrate the contribution you would bring to the job;
- a knowledge of public service and civic procedures and protocol;
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- interpersonal, communication and organisational skills of the highest order;

• an additional European language;

• a current driving licence.

For further

The road to becoming a qualified actuary is paved with difficulty; many students fail the exams. Neil Harris looks at the figures

The calculated risk of hard work

Suppose that you and your friends want to hold an extravagant party 25 years from now. To afford this, you might want to work out how much a week each of you must contribute and what would happen if one of you died or for any other reason did not show up? To find the answers, you would need to employ an actuary, who would use mathematical techniques, including the theory of probability.

Pensions, investment and insurance are the areas in which the actuary predominates, but the road to becoming qualified is paved with difficulty. The pass rate for the last four of the ten professional examinations was down to 41 per cent in 1990. Some of the 600 students who start training in Britain every year find it possible to complete their studies within three years; others go on for more than twice as long before becoming members of the Institute (England and Wales) or the Faculty (Scotland) of Actuaries.

To succeed, you need stamina and endurance as well as intelligence. If proposals now

being considered by the institute are put into operation, the whole system will change. New syllabuses are being agreed, which will lead to new-style exams from 1994.

Traditionally, the two professional bodies have provided all the training by correspondence courses. In the past two years, however, others have started to offer training on a commercial basis as happens in the accountancy profession.

Hertford-Watt University, in Edinburgh, offers intensive revision courses for those about to take the exams. Hazel Carr Training, of London, provides longer courses to compete with those offered by the institute's actuarial education service.

John Waugh, deputy director of education at the institute, says: "Demand for actuaries has been affected by the recession. Mergers and cutbacks could reduce vacancies for trainees to about 300 this year and employers are insisting on an upper

second class degree. A mathematics degree is not essential, though we have actuaries with degrees in all kinds of subjects."

In recent years, he adds, the number of actuarial consultants rose as portable pensions and small insurance companies began using their services more. There is no shortage of recruiters. Life-assurance offices and actuarial consultancies are leading employers — more than half of practising actuaries are employed by insurance companies and a third by consultancies.

Standard Life recruits about 15 actuarial trainees a year. Gillian Hamilton, its graduate recruitment officer, says: "We look for a good honours degree in mathematics or statistics and the ambition needed to get through the exams. We work a 35-hour week in the office and the exams require an additional 20 hours of study."

Those who believe the hackneyed joke that actuarial work is for people who find accountancy too exciting need only look at the rewards and career opportunities to think again. Trainees can earn up to £16,000 and earnings of newly qualified actuaries range from £25,000 to £30,000.

We look for the necessary ambition to pass exams'

people who will become consultants. "Will they pass the examinations — that's my first question," he says. "Then I'm interested in their communication skills."

"Our actuarial work grew from our tax practice which advises clients on employee compensation and pensions. Now we have a staff of more than 100, as well as 26 qualified actuaries. Much of our work is multi-disciplinary."

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LIABILITY valuations, pensions, software systems, profitability studies and the management of a department — these are some of the areas in which Andrew Holtham, an actuary with Provident Mutual, has been involved during his first eight years in the job.

"A career as an actuary offered me mathematically oriented work in a commercial environment, which is what attracted me when I graduated,"

"Eighteen months later, I moved to the pensions department."

As a student actuary, Mr Holtham had 40 days' study leave a year. To pass the Institute of Actuaries exams took him almost four years. Two years later, he returned to the pensions department as a manager, with 20 staff. "Six months ago," he says, "I moved again — this time to work directly for our chief actuary."

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The University of Sheffield is one of the country's leading Universities with a high international reputation for academic excellence and innovative research. This new post in the senior management structure will report to the Vice-Chancellor and Chief Executive Officer, Professor G.G. Roberts, FRS, and provides an outstanding opportunity for an ambitious accountant.

The principal responsibilities of the post are:

- the establishment and provision of a professional internal audit service, initially under the guidance of KPMG Peat Marwick who have been engaged to advise and co-ordinate the establishment of the service.
- the presentation and development of an audit plan that reflects a critical appreciation of the corporate and strategic objectives of the University.
- the development and management of the internal audit programme, including existing computer systems and those under development in collaboration with other Universities.
- initiation of value for money reviews and any special reviews that might from time to time be required.
- acting as secretary to the Audit committee.

The University, which has an operational budget in excess of £100m pa, is currently in a period of rapid expansion in teaching and research. The development and provision of extensive services to support this expansion will make the post a particularly challenging one, and the successful candidate will need to be highly motivated and have the confidence and stature to work with and be accepted by a wide range of senior professional colleagues.

Salary, expected to be not less than £27,000 pa, will be negotiable.

Further particulars from the Director of Personnel Services, The University, PO Box 594, Fifth Court, Western Bank, Sheffield S10 2UH (tel: 0742 768555 ext 4144), Ref: R.1192.A.

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The Medicine Hat Regional Hospital is a modern, progressive, 448-bed acute and extended care facility located in south eastern Alberta, Canada.

Representatives of the Hospital will be holding interviews for interested applicants in late March 1992 in London, Dublin and Glasgow.

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If you have successfully written the Canadian Physiotherapy Association (CPA) exam or have graduated from one of the following programmes, we would like to hear from you:

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Queens College, Dublin (in or after June 1985)
University College, Dublin (in or after June 1986)
Queens College, Glasgow (in or after June 1987)
North East London Polytechnic (in or after June 1985)

OCCUPATIONAL THERAPISTS

As the ideal candidate, you will be a graduate of a degree programme recognised by the World Federation of Occupational Therapists with at least three years of related clinical experience.

The Medicine Hat Regional Hospital offers a competitive compensation and benefits package, a stimulating state-of-the-art environment, and ample opportunity for professional development.

Interested applicants are to apply in confidence by February 28, 1992, quoting reference number: MHRH100, to our local contact: Karen Harvey, Rada Recruitment Communications, 195 Euston Road, London NW1 2BN. Telephone: 071-388 8564.

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This is a major professional challenge in which you will make a significant contribution to our successful corporate management and to your own career development. The post carries an attractive package which includes medical insurance, contract hire car, relocation and mortgage assistance.

Applications, in your own style, should be received by 26th February 1992. For a detailed job description and information pack, please telephone our 24 hour answering service on Basingstoke (0256) 479443 or contact Jeff Moss, Head of Personnel Services, Civic Offices, London Road, Basingstoke, Hampshire RG21 2AA. Tel: 0256 544844 ext 4435.

Interviews will be held on 19th and 20th March.

BASINGSTOKE & DEANE BOROUGH COUNCIL

THE UNIVERSITY OF BIRMINGHAM

BARBER CHAIR OF JURISPRUDENCE

Applications are invited for this Chair, which falls vacant at the end of this academic year following the retirement of Professor Geoffrey Hand.

The Chair is one of six professorial posts in the Faculty of Law.

The successful candidate will be expected to play a full part in the life of the Faculty, and to provide academic leadership within the area of his or her research and teaching interests.

Candidates with an interest in Public Law (e.g. Constitutional Law or Administrative Law of the United Kingdom) will be preferred.

Further particulars may be obtained from:

Mr P.J.F. Scott, Director of Staffing Services, The University of Birmingham, Edgbaston, Birmingham B15 2TT. Telephone: 021-414 3842.

Closing date for applications 13 March 1992.

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The Education Reform Act and the prospect of corporate status in 1993 are generating new challenges and opportunities for the College, particularly in the area of financial resources management. The College Government have decided to create the post of Senior Management Accountant to advise and give professional support to them and the Senior Management Team in the exercise of their financial responsibilities in an increasingly market-oriented environment.

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If you are interested in working in a rapidly changing climate and can offer these qualities and more, apply for further details and application form to Personnel Section, Barking College of Technology, Dagenham Road, Romford RM7 0XL. Closing date: 21 February 1992.

BARKING & DAGENHAM

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The Service is an independent body which reports to the Minister through the Permanent Secretary of the Department of Health and Social Services on continuing care in hospital for elderly people and for people with a mental handicap or mental illness. Since its formation in 1984, it has carried out over 30 visits to hospitals in Northern Ireland.

The structure and remit of the Service are to be changed and developed. The new Director will carry out a series of commissions relating to particular client groups. He/she will work in collaboration with appropriate professional and research bodies and experts in the field to develop guidelines for assessing standards of continuing care. He/she will co-ordinate, participate in and report on a series of visits to appropriate facilities, and will produce a composite report to the Minister on standards of continuing care.

This is a key appointment. The Director will need to have the experience, vision and drive to be able to develop the new Service along the lines envisaged by the Minister and to command the respect of all the professional staff and managers with whom he/she will be required to work.

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Further details, including information on how applications may be made, may be obtained from Mrs Beverley Johnson, Personnel Department, Central Services Agency, 25 Addison Street, BELFAST, Northern Ireland, BT7 1NN. Tel: 023 272 272 690 2724. Application forms, CV and position 2 references by Friday, 6th March.

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- * first class communication skills;
- * the ability to represent Council policy at the highest levels;
- * the ability to combine leadership with teamwork.

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For further information and application form contact:

Personnel Manager
National Consumer Council
26 Grosvenor Gardens,
London SW1W 0EE
Tel: 071-730 3469

Closing date for completed application forms is Thursday 27 February.

Interviews are being held on 11 and 12 March.



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BBC 1

8.00 Ceefax (6186).
 8.30 Breakfast News (7156207).
 9.05 Kirby, Robert Kirby-Silk chairs a studio discussion on a topical subject (4241904). 9.30 Hot Chex. Another Italian recipe from Antony Worrall Thompson (549782).
10.00 News, regional news and weather (6006865) 10.05 Playdays. For the very young (n) (175617) 10.35 Plaza. Animated adventures of a clumsy penguin (6006782) 10.35 No Kidding. Family quiz game show hosted by Mike Smith with Kate Copstick (567503).
11.00 News, regional news and weather (7162166) 11.05 Wildlife Gems. Fergus Keeling introduces film of a lagoon filled with jellyfish and a testing assault course for squirrels (473527).
11.30 People Today presented by Miriam Stoppard and Adrian Mills. Among the guests is Marie Christine Ridgeway, wife of explorer John, who has written a book *No Place for a Woman* (315932). With News, regional news and weather at 12.00.
12.20 Pebble Mill. Music and chat introduced by Judi Spiers. Among the guests is the pop group Take That (s) (3065188) 12.55 Regional News and weather (90155430).
1.00 One O'Clock News and weather (72614) 1.30 Neighbours. (Ceefax) (s) (6227701).
1.50 Olympics 92. Helen Rollason introduces coverage of both runs of the men's combined slalom plus action from the 7.5km women's biathlon, the women's luge, the Nordic combined events and ice hockey (3103703).
3.50 Joshua Jones. Animated series (7734140) 4.00 *The New Yogi Bear Show*, Cartoon (r) (9048072) 4.10 Jackassery. Helens Bonham-Carter with episode two of the five-part adaptation of Philippa Pearce's *The Way to a Saffron Shore* (t) (6459633) 4.25 *Fantastic Wild Woodland*. Adventures of a boy (s) (034879) 4.25 *The Weather Girl*. Weather forecast includes a visit to Bridgemere Wildlife Park, near Nantwich, Cheshire, and Sue Devson building an osprey nest in Scotland. (Ceefax) (s) (2412614).
5.00 Neurocrisis (7729422) 5.10 Grange Hill. Children's school drama serial (2261237).
5.35 Neighbours (r). (Ceefax) (s) (973411). Northern Ireland: Inside Ulster.
6.00 Six O'Clock News with Peter Sissons and Anna Ford. (Ceefax) Weather (140).
6.30 Regional News Magazines (492) Northern Ireland: Neighbours.
7.00 Holiday. This week Anne Rice and David Jessel report from the same Austrian Alpine resort — one in the winter, the other in summer; and Julia Butt goes hot air ballooning in Tanzania's Serengeti National Park. (Ceefax) (s) (4091).
7.30 Eastenders. (Ceefax) (904).
8.00 The Fall and Rise of Reginald Perrin. David Dobbs's classic comedy starring Leonard Rossiter. This week the once successful community is under attack from within and from the outside. Can Reggie stop the rot? (Ceefax) (1351).



Acting team captain: football player John Barnes (8.30pm)

8.30 A Question of Sport. John Barnes, the Liverpool and England footballer, takes over as one of the captains in the absence of Ian Botham. He and Bill Beaumont are joined by David Sole, Lucinda Greer, Neil Webb and Derek Redmond. The question-master is David Codd. (Ceefax) (s) (9546).
9.00 Nine O'Clock News with Michael Buerk. (Ceefax) Regional news and weather (8430).
9.30 Spender. The unorthodox Geordie detective is a witness to a vicious ram raid in which an elderly man is brutally beaten, but doesn't intervene. Last in the series starring Jimmy Nail. (Ceefax) (s) (205782).
10.25 Sportsnight Special. Includes the free programmes of the pairs figure skating competition and ice hockey in the Winter Olympics and FA Cup football highlights (8850324).
11.55 Weather (285343). Ends at 12.00.
2.00am The Way Ahead. John Murray explains April's new benefits for disabled people (r) (3005744). Ends at 2.15.

ITV VARIATIONS

ANGRIA
As London except: 8.25-7.00 *Anglia News* (94061) 7.30-8.00 *Food Guide* (512)

BORDER

As London except: 3.25-3.55 Sons and Daughters (630782) 5.10-5.40 Home and Away (5335342) 6.00 *Lakecountry Tuesday* (52901) 6.30-7.00 *Country* (52902) 8.00 *The Young Doctors* (52903) 8.30-8.45 *Young Cleverness* (512) 9.10 *Fair*. The Second Victory (59285) 9.30 *House Style* (512) 10.30 *Playdays* (52925) 10.35 *Minuteman* (52926) 11.40 *Farm* (52927) 11.50 *Night Head* (59293) 12.00 *Playdays* (52928) 12.30 *The Way Ahead*. John Murray explains April's new benefits for disabled people (r) (3005744). Ends at 2.15.

GRANADA

As London except: 2.25pm-3.15 *The Young Doctors* (403945) 3.25-3.55 Farm (52901) 7.30-7.00 *Central News* (54402) 8.00 *Food Guide* (512) 9.10 *McGinty's* (52903) 9.30 *Country* (52902) 10.30 *The Way Ahead* (52904) 11.40 *Farm* (52905) 12.00 *Playdays* (52906) 12.30 *The Young Doctors* (52907) 1.30 *Young Cleverness* (52908) 2.30 *Pacific Sportswear* (512) 3.00 *60 Minutes* (522257) 3.55 *Pick of the Week* (522258) 4.25-4.30 *Central Jobfinder* (92) (385172).

IRELAND

As London except: 2.25pm-3.15 *The Young Doctors* (403945) 3.25-3.55 Farm (52901) 7.30-7.00 *Central News* (54402) 8.00 *Food Guide* (512) 9.10 *McGinty's* (52903) 9.30 *Country* (52902) 10.30 *The Way Ahead* (52904) 11.40 *Farm* (52905) 12.00 *Playdays* (52906) 12.30 *The Young Doctors* (52907) 1.30 *Young Cleverness* (52908) 2.30 *Pacific Sportswear* (512) 3.00 *60 Minutes* (522257) 3.55 *Pick of the Week* (522258) 4.25-4.30 *Central Jobfinder* (92) (385172).

ITALY

As London except: 2.25pm-3.15 *The Young Doctors* (5204123) 3.25-3.55 Sons and Daughters (5301782) 5.10-5.40 Home and Away (5335343) 6.00 *House Style* (512) 11.40 *Playdays* (52925) 12.00 *Second Victory* (59285) 12.30 *Country* (52902) 1.30 *Young Cleverness* (52903) 2.30 *Fair* (52927) 3.00 *Night Head* (59293) 3.30 *Playdays* (52928) 3.55 *Minuteman* (52929) 4.15 *Hill* (512) 4.45 *Jobfinder* (512) 5.00 *Food Guide* (512) 5.30 *Home and Away* (5335343) 6.00 *TV Times* (52929) 6.30-6.45 *Blockbusters* (168) 7.00-7.30 *Playdays* (52930) 7.45-7.55 *Minuteman* (52931) 8.00 *Playdays* (52932) 8.30-8.45 *Minuteman* (52933) 9.00 *House Style* (512) 9.30-9.45 *Playdays* (52934) 10.00 *Minuteman* (52935) 10.30 *Playdays* (52936) 11.00 *Minuteman* (52937) 11.30 *Playdays* (52938) 12.00 *Minuteman* (52939) 12.30 *Playdays* (52940) 1.30 *Minuteman* (52941) 2.00 *Playdays* (52942) 2.30 *Minuteman* (52943) 3.00 *Playdays* (52944) 3.30 *Minuteman* (52945) 4.00 *Playdays* (52946) 4.30 *Minuteman* 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